

SENATE—Friday, June 8, 1990

(Legislative day of Wednesday, April 18, 1990)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. BRYAN].

The ACTING PRESIDENT pro tempore. The Reverend Richard C. Halverson, Jr., of Falls Church, VA, will lead us in prayer.

PRAYER

The Reverend Richard C. Halverson, Jr., Chesterbrook Presbyterian Church, Falls Church, VA, offered the following prayer:

It is a privilege to be here.

Let us pray:

Father in Heaven, I am making this prayer on behalf of everyone here regardless of their degree of spirituality. And I am asking You for the power to influence for good the most difficult mission field in the world, the mission field of ourselves.

Some here may consider themselves religious, many I am sure, do not feel worthy even to call on Your name. And we realize that often we are the worst enemy of ourselves and of You.

Yet how can we carry on a relationship, if we can't relate to ourselves? And how can we manage a family, if we can't rule ourselves? And how can we conduct our business, if we can't govern ourselves?

Grant us, therefore, the power of self-control. And teach us the secret of being at peace with ourselves. Knock on the door of many hearts here that we might open within, and invite You into the counsel of our innermost being. In Christ's name we pray. Amen.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Journal of the proceedings be approved to date.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, this morning following the time for the two leaders there will be a period for morning business not to extend

beyond 11 a.m., with Senators permitted to speak therein for up to 5 minutes each. At 11 a.m., the Senate will resume consideration of S. 341, the blind air passengers bill.

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, I reserve the remainder of my leader time and I reserve all the leader time of the distinguished Republican leader.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for not to exceed 5 minutes.

The Chair recognizes the Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, I ask unanimous consent that I be allowed to speak for an additional 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF THE WORLD RESOURCES INSTITUTE

Mr. GORE. Mr. President, I would like to speak this morning about some of the trends in global environment that have been reported this morning in a just-released study from the World Resources Institute entitled "World Resources, 1990-91." Some of the new findings in areas such as global deforestation, greenhouse gas emissions, and degradation of water resources are truly astonishing and quite alarming. In my remarks this morning I will be drawing directly from the material that was issued by the World Resources Institute in conjunction with their new study.

First of all, I would like to address the subject of deforestation. Until now, the most authoritative estimate of annual deforestation in the tropics has been 28 million acres per year.

A lot of us have used a figure that is derived from 28 million acres per year when we say one acre of rain forest is being destroyed every second. Well, where does that number come from? It is based on an extensive assessment made 10 years ago by the United Nations Food and Agricultural Organization when it examined all of the na-

tional surveys and all of the literature and all of the reporting.

The report released this morning contains the new assessment which is, as I say, the first update in 10 years, and it shows that tropical rain forests are now vanishing at a rate not of 28 million acres per year, but 40 million to 50 million acres per year. In other words, instead of losing one acre of rain forest per second, the world is now losing one acre and a half of rain forest per second.

These new findings, which are conservative in their use of the basic numbers involved, are based on new land-based and satellite sensing studies showing that tropical deforestation rates are nearly 50 percent faster than the earlier estimates. It means that every year, instead of losing an acre of rain forest the size of the State of Tennessee, as I have been saying when using the old figures, the world is losing an area of rain forest each year the size of the State of Washington.

The latest figures show accelerated forest loss in Brazil, India, Indonesia, Myanmar—known to many of us by its older name, Burma—Thailand and Costa Rica. In 1987, when Brazilian Government policies caused the country to experience a peak year of deforestation, the rate of loss was as much as 80 percent higher than earlier estimates.

Mr. President, I would like to refer to this chart prepared on the basis of the study released by the World Resources Institute this morning.

The chart shows annual tropical deforestation in eight key countries. The eight countries are Vietnam, Costa Rica, Brazil, the Philippines, India, Indonesia, Thailand, and Myanmar.

The lefthand side of this chart shows the old estimate which was alarming enough, the one acre per second estimate. This is an illustration of how much tropical forest area was lost in these eight countries during the years 1981 through 1985. The righthand side of the chart shows the dramatic increases according to this new updated study that shows the troubling, indeed shocking, acceleration in the rate of deforestation.

In Brazil, for example, from 1981 to 1985, the annual rate was this much, and the more recent estimate shows that it is now this much.

In fact, according to this new study, the total amount of carbon dioxide put into the atmosphere by Brazil during 1987 exceeded the total amount

of carbon dioxide put into the atmosphere by the United States of America.

The major cause of deforestation, according to World Resources Institute, is the permanent conversion of forest land to agriculture land, although logging practices, especially in Southeast Asia, and the demand for fuel wood, especially in Africa, are also serious factors. The problem has been exacerbated almost everywhere, it appears, by government policies as well as by population pressure, poverty, and a maldistribution of land and wealth and debt burdens which have forced many of these countries to accelerate the conversion of forest land to agriculture land in order to grow cash crops as a means of servicing their debt and earning hard currencies.

The pressures on tropical forests are expected to increase even more with the rapid population explosion in the developing world.

At the present time, Mr. President, deforestation is second only to the burning of fossil fuels as a source of atmospheric carbon dioxide, and it contributed not 20 percent of CO₂ emissions to the atmosphere—that is the figure which we have been using based on the old estimates—but now, based on the study of the year 1987, at least, the burning of forest land accounted for one-third of all the carbon dioxide put into the atmosphere worldwide. And nearly all carbon releases from deforestation occur in the tropics, where virtually all burning of forest land occurs.

Let me move to a second chart, which shows the emissions of greenhouse gases by country. According to this new study, the United States and the Soviet Union rank No. 1 and No. 2 in the world, in their contributions of greenhouse gases added to the atmosphere in 1987. This illustrates a point that I made earlier this week after the conclusion of the summit meeting when I said that I felt it was extraordinary that the leader of the United States and the leader of the Soviet Union could sit down for several days to talk about the most important issues in the world and, at least from the communique and the reports of their meetings, never even discuss the crisis confronting the global environment and the fact that our two countries are the principal contributors.

Let me move to this second chart and illustrate the contributions of greenhouse gases by country, taking 26 countries as examples. There is one feature of this chart I would like to underscore. The European Community is represented as a single entity, and when one aggregates the countries of the European Community, Europe ranks second to the United States as a source of greenhouse gas emissions. The United States is in first place with

a billion metric tons of carbon dioxide equivalents emitted each year. That is the measure of greenhouse gas emissions most commonly used. Second is the European Community; third is the U.S.S.R.; fourth is Brazil; fifth is China; sixth and seventh, closely grouped together, are India and Japan. And then, although there are smaller figures overall from these other nations, taken as a group, they now represent a very large source of greenhouse gas emissions.

Mr. President, the role played by developing countries is now much larger than had been supposed prior to the completion of this study, according to the new index. This measures not only carbon dioxide, but also methane and chlorofluorocarbons. Each of the gases is weighted by its heat-trapping potential, and that explains the use of this term "carbon dioxide equivalents."

According to this index, as I said, the United States is in first place. The total amount added to the atmosphere in 1987 was 6.5 billion tons of carbon in the form of CO₂, methane, and chlorofluorocarbons—again, CO₂ equivalents. That compares to a figure of 2.4 billion tons just 30 years earlier, in 1957.

Consider that increase, Mr. President. Thirty years ago, it was 2.4 billion tons of carbon dioxide equivalents, and in 1987, the year featured in this study among others, it was 6.5 billion tons. In 30 years, from 2.4 to 6.5 billion tons each year.

Concentrations of methane have more than doubled since preindustrial times, and are growing at a rate of 1 percent annually.

Chlorofluorocarbon concentrations are, of course, growing the most rapidly, about 5 percent each year.

Until now, it had been widely believed that developing countries would soon and eventually become major contributors to global warming, because at least 90 percent of future population growth will be in the Third World. But one of the most unexpected findings in this study, that the data shows so clearly, is that developing countries are already major sources of greenhouse gases, clearly demonstrating the urgent need to address the problem as it occurs in the developing world.

I mentioned earlier that in 1987, Brazil was a larger source of CO₂ emissions than the United States, primarily because of the massive burning of forest lands in that year.

Let us look at these emissions on a per capita basis, because we are used to hearing that the United States has the highest per capita emission of greenhouse gases in the world. This study indicates that while our emissions on a per capita basis are indeed startlingly large, there is a surprising leader that has an even higher per capita emission of greenhouse gases

than does the United States in this study, and that is the country of Laos, Mr. President, called officially the Lao People's Democratic Republic. That is because of forest burning.

Also, the No. 2 and 3 ranking go to Qatar and the United Arab Emirates, which comes about because of the flaring of natural gas and the huge energy consumption per capita in those countries with a surfeit of natural gas and oil.

Qatar has per capita greenhouse gas emissions of 9.7 tons each year per person, and the United Arab Emirates, 6.4 tons per person per year.

If you have ever seen this photograph taken by satellite, Mr. President, of the world at night, it shows the major cities, the outlines of the continents illuminated by the lights of cities. In the Middle East, in the oil-producing countries, there are these bright flares of light that dominate that part of the Earth's picture because of gas flaring. This practice really should be addressed as part of a comprehensive effort to deal with this problem.

Mr. President, before I conclude, let me address very briefly just one other important feature of this report which has not yet received the kind of attention I think it deserves. It has to do with water resources.

We have an abundance of water in the world, but it is maldistributed and it is not properly used and conserved. One famous example is the Aral Sea. It used to be the fourth largest inland body of water in the world. It is in Soviet Central Asia. Now 60 percent of the water is gone because of mismanagement of the water resources.

Saudi Arabia's remarkable success in increasing its agricultural production threatens to completely drain the country's underground water resources. And we are doing something similar to some of our underground aquifers.

Speaking on the Middle East for just a moment longer, according to a recent report by the Middle East Economic Digest, nonrenewable fossil groundwater resources in the Middle East will be completely exhausted within 17 years at the current rate of depletion. Talk about eating your seed corn—we are doing it too, but the problem is really pronounced there.

In Latin America, although most cities have abundant water resources, population growth is outstripping supplies. In Mexico City, the groundwater is being mined and depleted far more rapidly than it is being replenished. In Lima, Peru, tankers now come to port and bring drinking water for 2 million people on a regular basis. Twenty-five percent of the water consumed by Latin American cities is lost by leaks and breaks in the water system.

There is more here, and I commend the World Resources Institute report to you and to my colleagues for the additional information.

Let me just conclude by saying, Mr. President, whether the issue is this startling increase in the emissions of greenhouse gases or the startling increase reported today in the loss of tropical rain forests in the world, or whether the issue is the startling depletion of available water resources or the hole in the ozone layer or destruction of living species, all of these problems are symptoms of a deeper collision between industrial civilization as we are currently organizing and pursuing it and the ecological system of the Earth, which sustains life as we know it.

There are three causes: The population explosion, which can be managed without even talking about abortion or getting into the subject of abortion; the scientific and technological revolution, which magnifies our ability to do harm to the environment along with the good it brings us, and we need a Strategic Environment Initiative to develop new technologies to soften that impact; third, and most important, the way we think, the old pattern of thinking about our alleged privilege to exploit the Earth at our whim without any regard for the consequences to future generations and to the ecological system itself. This has to change, Mr. President.

The change will not come easily. It will not come only in the United States of America. But the change must come. This new study today illustrates the problem is getting much worse very rapidly. All the conditions that have led to it are also worsening so that the conflict, unless it is addressed boldly, will continue to worsen.

The United States should lead in helping to organize a worldwide response to this crisis. The President of the United States should lead within the United States. He is not doing so. I hope that he will. I hope that my colleagues will take the time to look at the additional material accompanying these remarks, which I now ask unanimous consent to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

According to the World Resources Institute, despite the seeming abundance of global water resources, some regions suffer chronic shortages while others are consuming and contaminating their supply of water at an alarming rate.

The Aral Sea, once the fourth largest inland body of water in the world, has lost 40 percent of its area and 67 percent of its volume. Excessive water withdrawals for agriculture are the cause. Due to the substantial water loss, the Aral's Sea's mineral content—including salt—has nearly tripled. The former maritime towns of Muinak and

Aralsk have become dry lands and at least 75 percent of the animal species extinct.

Saudi Arabia's remarkable success in increasing its agricultural production threatens to drain the country's underground water resources. According to a report obtained by the Middle East Economic Digest, nonrenewable fossil groundwater will be exhausted by 2007 at the current rate of depletion.

Even though most Latin American cities have abundant water resources, population growth is outstripping available supplies of clean water. About 25 percent of the water consumed by Latin American cities is lost through leaks and breaks in the water system. What Mexico City loses alone would serve the needs of Rome.

A recent study for the United Nations by the Group of Experts on the Scientific Aspects of Marine Pollution [GESAMP] reported that coastal pollution is on the rise. Coastal areas are fast becoming the breeding grounds for bacteria and viruses that accumulate in shellfish and threaten bathers. A 1987 study by the United Nations Environment Programme identified microbacterial contamination of the coastal waters as a major concern.

What is responsible for the worldwide decline in water?

Population growth, the increasing demands for water—especially for agriculture which accounts for two thirds of all the freshwater withdrawn—and widespread inefficiency and mismanagement are the primary culprits reported by the World Resources Institute.

The world's population, currently 5.3 billion, is growing by a quarter of a million every day. Water use has stabilized in the industrialized world, where it is also the highest, but water use is growing in the developing world. Only about 4 percent of the population uses as much as 80-100 gallons per person per day, and two thirds of the population, concentrated in Asia and Africa, use less than 13 gallons per person per day.

In 10 years, domestic water use in Asia, for example, is expected to reach 40 gallons per person per day. The wastewater generated will exceed that generated today by the combined populations of Europe, North America, and South America.

Growing urbanization will cause an increased concentration of human wastes and other domestic sewage into nearby bodies of water, contaminating surface water quality and increasingly polluting coastal areas.

In many parts of the world, agricultural practices and runoff have also had a major impact on water quality. Irrigation is by far the greatest water user. New technology and the demand for greater agricultural productivity have led to an exponential increase in the use of fertilizers and pesticides. Runoff of these chemicals, particularly nitrogenous fertilizers, creates widespread and serious water quality problems. Ninety percent of all rivers in Europe show some evidence of nitrate pollution; worldwide, the water in 10 percent of all rivers is unfit for human consumption. In the United States, the drought-related water shortages in California have been exacerbated by agricultural overuse, salinization and water contamination from farm chemicals.

Mr. GORE. Thank you, Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa [Mr. GRASSLEY] is recognized.

CIRCLE OF POISON

Mr. GRASSLEY. Mr. President, we are all very concerned about what is going into the food that we eat. The Congress and Federal Government have gone to great lengths to protect consumers in our environment from unnecessary exposure to pesticide residues. We have also defined our laws concerning pesticide residues on imported foods. These foods must pass the same stringent standards as our domestically produced foods. But, we must act responsibly in our efforts to protect consumers. Our actions must not build trade barriers to the import of safe foods, as some of our foreign competitors have done in establishing unfounded health standards.

Legislation has been introduced in the Senate that would eliminate the export of U.S.-produced unregistered pesticides in an attempt to protect U.S. consumers from exposure to banned pesticide residues found in imported foods.

The answer to the increase in consumer protection, however, is not banning the export of unregistered pesticides, but, rather, is based upon increasing imported food monitoring to protect against food with residues of banned pesticides and with residues that exceed U.S. tolerances from entering our retail market.

In 1987, as well as 1988, the Food and Drug Administration analyzed more than 32,000 samples of domestic and imported commodities. This happens to be the greatest number of samples ever analyzed by the FDA. In almost 60 percent of those samples, there were no pesticide residues detected. Tolerances were exceeded in less than 1 percent of the samples.

This study, and others, suggest certain arguments for banning the export of certain chemicals are greatly exaggerated. It is important, from a competitive point of view, to eliminate the importation of food that is grown with chemicals that are unavailable to U.S. producers. It is important not only then, Mr. President, to protect the consumers, but it is unfair for American producers of food who, under our laws, are banned from using certain chemicals to have the unfair competition from foreign producers who are using those banned chemicals.

When health restrictions limit the usage of certain farm chemicals, these chemicals must not aid our competitors in our own markets. Congress has developed extensive guidelines for testing and reviewing all pesticides intended for domestic use. The EPA has used this guidance to create a system that ensures consumer safety and gives me confidence in the safety of our food supply.

Most unregistered pesticides exported from the United States are of two kinds: Research compounds, which, of

course, are closely guarded and carefully managed, or, in the second case, compounds that are virtually identical in composition and risk to registered pesticides.

Pesticides which have limited use generally for special crop production or random insect infestation, also called minor-use pesticides, are often not registered due to the cost of the procedure. This does not mean these pesticides are unsafe, but rather that the company feels it would not be able to recover cost of registration in the U.S. market sales.

We already have a backlog of registrations and reregistrations. It is not necessary to tax this program with registrations for pesticides used in the production of bananas, coffee, rubber, and tea or force the manufacturing company to pay for this process. In fact, many companies will shift their manufacturing and research and development to facilities overseas.

In most cases, exported pesticides are U.S.-registered, but when they are not, they have undergone extensive toxicity and human health effects testing. These products are typically registered in the importing countries.

Prohibiting exports of unregistered products would export U.S. jobs. If growers in other countries cannot buy American, they will buy other products from suppliers often outside the organized agri-chemical industry.

These suppliers do not always maintain the same standards of product safety required of legitimate manufacturers. The U.S. pesticide registration laws are based on the needs and demands of U.S. consumers. How can we determine the wants and the needs of other countries or of our trading partners? Can we impose our strict standards on countries that cannot feed their populations? Obviously, some in this Congress feel so, or, otherwise, this legislation would not have been introduced.

The admission of any pesticide to any country in the world is subject to that country's sovereign rights. They are under no obligation to admit any pesticides, let alone pesticides that are severely restricted or banned in the United States. A good example of differences between U.S. safety determinations and the needs of our foreign trading partners is a problem of malaria control in many foreign countries. Some chemicals banned in the United States, which would be illegal to export under this legislation, may be a valuable tool used in many developing nations to combat malaria.

In Sri Lanka, following the United States lead of halting DDT production, malaria returned in epidemic proportions to that country. There are other means of controlling malaria, but is it up to those of us in the U.S. Congress to decide how these countries should attach their problem? As

a developed country, the United States has a responsibility to the less fortunate nations to help them conquer disease and malnourishment. We must not legislate how countries must accomplish these goals based upon our standards of living. The threats of disease and famine are a much bigger concern in these countries than the question of food safety, or at least we ought to leave it up to their own governments to make that determination.

I appreciate some members of the Senate Agriculture Committee bringing this up for debate. There is no disputing the need to be concerned about the safety of our food supplies. The issue affects not only consumers but farmers who depend on consumer confidence when selling their products. However, we cannot overlook the important economic and trade considerations that I have raised. As the Agriculture Committee proceeds with voting out the agriculture bill, I hope these issues will be reviewed more carefully than they have in the past and new solutions will be found. I think Senator LUGAR's approach is one of these very good alternatives.

I yield the floor.

THE OMNIBUS CRIME PACKAGE

Mr. GORTON. Mr. President, during the course of this week almost all of the RECORD voting work on the floor of the Senate has been directed at two attempts to invoke cloture with respect to the bill relating to crime and punishments. I voted against cloture on both of those occasions.

I am unhappy at having been required to do so but even more unhappy at the way in which that bill has been managed. This Senate, which evidently could afford to use 8 entire days on the Hatch Act, which is far from the top of the concerns of the American people, nonetheless has attempted through the actions of the majority leader to cut off debate on the single subject in which Americans are most interested, not only after a mere 3 days but after 3 days which were devoted to amendments proposed by the committee or by other members of the committee which dealt with the bill in the first instance.

In other words, Mr. President, other Senators have been imposed upon by what amounts to a gag rule, unable to offer amendments on any other relevant subject to this crime bill. It is for that reason, I submit, Mr. President, and not because of the retention in the bill of an assault weapons provision, that cloture has been unsuccessful to this point. It seems to me vital, it seems to me very much in the interests of the American people, the majority leader permit a debate more broad than the scope of this particular proposal before it is appropriate to invoke cloture. As and when we have

had that opportunity, I will happily vote for cloture. Even though I voted on the losing side on the assault weapons provision, I will vote for this bill. I think it is good. I think it represents a step forward, but it does not represent the decisive step forward which we should have.

The leader of the Republican Party, the distinguished Senator from Kansas [Mr. DOLE] has made an offer to limit amendments to an even number on both sides. I earnestly hope that the majority leader and the majority party will accede to that request to allow a reasonable time for debate and a reasonable number of amendments after which, Mr. President, I am convinced there will be no difficulty in obtaining cloture and a final vote on a bill which is so important to the American people.

GENERAL AVIATION PRODUCT LIABILITY AMENDMENT

Mrs. KASSEBAUM. Mr. President, last night I knew the majority leader was considering a motion to table the pending amendment to S. 341. That pending amendment is my amendment on general aviation product liability. I have no objection to a motion to table my amendment. What I find troubling, Mr. President, is today there are so many Senators who are absent that I feel it would be certainly unfortunate to entertain a vote on a matter that many feel strongly about one way or the other. I am very happy to set aside my pending amendment and let other amendments come to the floor.

I met yesterday with representatives of the Trial Lawyers Association to see if there might be some means of finding a compromise. I certainly look forward to discussions with the Senator from Ohio [Mr. METZENBAUM] but I would be very disappointed if today we find, with many having left, that there would be an effort made to table the pending amendment.

I would just like to be on the record as expressing that thought in the hopes that we can work something out.

I yield the floor, Mr. President.

ORDER OF PROCEDURE

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senator from Idaho [Mr. SYMMS].

Mr. SYMMS. Mr. President, are we still in morning business? If so, how long will that be?

The ACTING PRESIDENT pro tempore. Morning business is in order until 11 o'clock.

Mr. SYMMS. Mr. President, I ask unanimous consent—I see no other Senators on the floor—that I might speak until 11 o'clock.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SYMMS. Mr. President, I thank the Chair.

"WHAT FREEDOM MEANS TO ME" ESSAY WINNERS

Mr. SYMMS. Mr. President, over the past year we have been witness to the most dramatic events in history, from elections in Nicaragua and Poland to independence in Eastern Europe from Soviet domination. It is clear to all who observe world affairs that freedom is on the rise while the days of the Communist dictators are numbered.

Certainly one of the darkest moments any society has had was when the Berlin Wall was built. This barrier became the symbol of the repressive policies of the Communist Soviet Union. However, late last year it became the symbol of freedom as the people it long confined were finally allowed to emigrate to the West. The wall, figuratively and literally, has begun to come down between the East and the West.

Mr. President, we have heard the promising stories of those finally allowed to taste the fruits of freedom for the first time, but what have been the thoughts of our own citizens who have never known the tyranny and oppression of communism. What were their feelings about this historic worldwide revolution?

We thought it would be interesting in my State to find out what the young people thought. So my office and I sponsored an essay contest among the schoolchildren of Idaho. The title was, "What Freedom Means to Me." It was open to all students in the State from kindergarten through the 12th grade. The four categories of the contest were kindergarten through the 4th grade, 5th through 6th, 7th through 9th, and 10th through 12th. The judges picked one winning essay from each of the categories.

I thought it was important, Mr. President, to hear from the future leaders in my home State of Idaho and their impressions about freedom for themselves and others around the world. Frankly, I was surprised at the participation that we had. Over 1,600 compositions were received in my office. After reading through several, I knew the judges had a very, very difficult task.

After a great deal of consideration by our judges, I am pleased to share with the Senate the four winning essays from the contest. Each of the winners received a plaque containing a piece of the Berlin Wall to be displayed in the student's school, and each will receive an embossed copy of his or her essay reprinted in the CONGRESSIONAL RECORD.

Mr. President, in the first category, the winning essay was from Lacy Ann Holm, an 8-year old, and third grader from Montevideo, ID. Not only has Lacy won first place in her category for this contest, but I understand she recently won first place in her school's patriotism essay contest. Lacy titled her essay, "This Is My Country." It is very brief, Mr. President.

I will not read all of the essays that I have, but this one is very brief and it is well worth reading.

"This Is My Country."

My country is free, beautiful and strong. Even though it is strong, it gives us personal freedoms.

Many people died so we could be free. This freedom has to be honored daily by love of law, flag and its people.

Some of the reasons I love my country are that we have freedom of choice. Freedom to me means that we can do whatever we want to do that is lawful. We are free to work at any kind of job we want. Free to think anything we want to think. We can say whatever we want. We can eat and sleep, to work and play, without being afraid.

One Nation under God, with freedom in God, to worship Him in our own special way.

I love my country!

Mr. President, in the second category, the winning essay came from Daniel Alban, 11 years old and a sixth grader at Nampa. While I was in Idaho last week, I had the opportunity to meet Daniel, his parents, his principal, and his teacher, and I made the award in person.

When I was there he expressed strong interest in attending one of the military academies, specifically the Air Force Academy. If he continues to work hard toward this goal, he can look forward to the day when he will be nominated. Daniel's essay entitled "Freedom Isn't Free" is a little longer. It reads as follows:

FREEDOM ISN'T FREE

Driving through the states of the United States, you see "Welcome" signs at each and every border. Driving into parts of Eastern Europe you see "Warning: Border Zone: Passport Must be Shown" or "Warning: Entering Border Zone: Passport, Identification papers, Border Zone Permission papers and all necessary Leave papers will be checked."

That's the difference between Democracy and Communism: there are many others. The main reason: we have freedom, they do not. At any state border, the worst obstruction might be a winding river, but we are allowed to cross by the state(s) that built the bridge. In parts of Eastern Europe, there are walls, barbed-wire fences, border stations, armed border guards and many other terrifying obstacles.

However, there is hope. Some Communist countries are now working towards Democracy. A few of these are East Germany, Romania, and Bulgaria.

Unfortunately some are getting worse, e.g. China, where they are not allowed to smile in public (Time April 16, 1990). However, they not only smiled, but they laughed in defiance.

I favor and support all the efforts of these people, and I wish I could help them. It makes one feel somewhat helpless. It also

makes me feel very fortunate, because I was born into freedom. I have accepted it as part of our society, and take it for granted.

When I think about it, I am very lucky I don't have to fight for my freedom or escape from a Communist country to get it. I am really grateful for freedom and my rights as a citizen of the United States of America. I don't want you to think that I think our government is perfect, because it isn't, but its getting better, and it's much better than most countries where I could have been born.

Most children don't realize how lucky we are to live in peace and freedom, with rights for everyone, even minorities. We don't persecute people because of their religion. We can speak and demonstrate freely without being arrested or executed. We can have public gatherings, and we can also travel freely. Why? Because our forefathers worked and died for our freedom; other free nations have had to do the same. Freedom isn't free.

It is very difficult to explain freedom with words, because it seems so simple, but yet so hard to grasp. There is one thing that I will always know about freedom. Until all the walls are torn down, until all the signs are removed, until all the passports and papers of leave are discarded, until all prejudice is forgotten, and until all dictators are no more, there will never be freedom as I want to know it.

That is from Daniel Alban, Central School, room 13, April 18, 1990, Nampa, ID.

Mr. President, I have two other essays I would like to mention. Leslie Shiozawa, age 15, is a ninth grader at Hawthorne Junior High in Pocatello, ID. She has written an excellent essay, but because of our limited time, I just want to read the opening and closing paragraphs:

I've watched the news. Everywhere it seems that people want something, something Americans have. The Germans have torn the Berlin Wall down. The iron curtain has fallen. Students have protested in China. Free elections have been held in Central America. Citizens have overthrown dictatorships. Anti-apartheid groups demand civil rights in South Africa. Lithuanians have declared political independence. This thing, this bold, cherished, magnificent dream is what these people die for.

She goes on to a very touching essay of two pages. Her closing paragraph I think is especially thoughtful.

Freedom is something small, because it is the absence of restraint. Freedom is something big, because it is my everyday life. Freedom is sacred and precious to me, because of my ancestral ties and family heritage. Freedom is special and individual, though it is shared by millions. This is what freedom means to me. Freedom is my greatest treasure. God bless America, land that I love.

Mr. President, I ask unanimous consent that Leslie's article be printed in the RECORD in its entirety.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I've watched the news. Everywhere it seems that people want something, something Americans have. The Germans have torn the Berlin Wall down. The iron curtain

has fallen. Students have protested in China. Free elections have been held in Central America. Citizens have overthrown dictatorships. Anti-apartheid groups demand civil rights in South Africa. Lithuanians have declared political independence. This thing, this bold, cherished, magnificent dream is what these people die for. This thing we know we must have is freedom. This spirit of man and the need of truth within him is freedom.

But what is freedom to me? I have never, in fifteen years, fought in a war. I have never doubted that I am safe, that no soldiers will come in the night and take my father away. I have never worried that my mother would not be able to buy needed items at the stores.

To me, freedom is having my own room. Freedom is a telephone, a car, a trust. And more—this magnificent liberty means that I can love and pray to my god. It is picking my own friends, no matter what color, religion, or race they are. Our history class writing to the newspaper about political issues and expressing our opinions without restraint is freedom. Not having to do my homework is freedom. But I do my homework for those rights and privileges that are allowed to me by obeying rules. I can go anywhere in this country, I can do anything I want, within the laws that are set down for acceptable behavior. I am exempt from cruel and unusual conditions. I am immune from totalitarian governmental authority. Freedom is being without restraints. I can choose to belong to any political group, or not at all. I exercise free choice, free will, free thought.

I have the right of enjoying all the privileges of citizenship. My ancestors at one time during their lives in America had their "citizenship" revoked. Actually, they never were allowed to apply for citizenship even though they had lived in America for more than five years, had sons serving in the U.S. Army, and were loyal citizens to this country. As I have learned about their lives during the second World War period, I have come to know how precious my citizenship is. 110,000 Americans of Japanese ancestry were evacuated because of the belief that they presented a "threat to the national security." However, there has never been one case of disloyalty or sabotage.

I feel my freedom is my greatest treasure. Old Glory is a source of pride. I feel strong when I say " * * * to the flag of the United States of America * * * one nation, under God, indivisible * * * ." I almost appreciate the discrimination my grandparents have been dealt, because it has made them strong, always struggling and working even harder in the American spirit. It has made them strong and directed them in taking part in this government.

This world turned upside down is the result of things hoped for. Maybe I could understand the people in exotic lands far away by understanding our American Constitution and Declaration of Independence written by immigrants. After all, these people resolve that they "are, and of right ought to be, free and independent." Our Declaration of Independence explains that the purpose of government is to protect basic rights, and people are forced to change government when it becomes tyrannical. A principle of the Constitution is that the people rule. We govern ourselves. This is tremendously powerful. We choose for ourselves.

I may know the truth to the fullest. I can know happenings in the government. I can

express my opinions. I can read newspapers, assured that they have not been censored. I can choose to worship or not to worship. I can believe and pray and make offerings to the Deity I dictate by my own conscience. I may belong to groups and organizations. I can ask the authorities to make my grievances correct. I can say what I want, even if I do not agree with other political, religious, or moral ideas of others.

Freedom is something small, because it is the absence of restraint. Freedom is something big, because it is my everyday life. Freedom is sacred and precious to me, because of my ancestral ties and family heritage. Freedom is special and individual, though it is shared by millions. This is what freedom means to me. Freedom is my greatest treasure. God bless America, land that I love.

Mr. SYMMS. Mr. President, the final category was won by Kristine Jensen, a 16-year-old in the 11th grade who attends Highland High School, also in Pocatello. Her essay is two pages long. I ask unanimous consent that the entire essay be printed in the RECORD as though read.

There being no objection the material was ordered to be printed in the RECORD, as follows:

WHAT FREEDOM MEANS TO ME

The majestic bald eagle prepared to leave the cliff overhang. Silently, it spread its wings toward the sky, then swiftly brought them down with a powerful stroke. Grace and beauty became increasingly apparent with the gradual swell in speed. Across the blue sky sailed the eagle, proclaiming assurance to all who caught a glimpse of this noble creature. Slowly, the real bird became a speck in the distance.

One night, a man imprisoned this beautiful bird in a cage, fed it artificial food and gave it no room to fly. Imagine the eagle's despair, with no room to soar through the sky, no new cliffs to explore. It no longer knew freedom.

Then a sympathetic keeper left the cage unlocked with the door slightly open. The eagle was able to escape to his home. Never again would it leave the land it loved.

Now picture Romania, Hungary, East Germany, Czechoslovakia, and Poland as eagles. Once the people of these countries were imprisoned by communism, fed false information about democratic countries such as the United States, and rendered unable to explore new possibilities all over the world. But now freedom loving people from these countries have a chance to experience the wonderful sensation and reap the benefits of liberty and freedom. They can enjoy a life of free travel, no censorship, new and endless possibilities for success—a life of freedom.

To me, freedom is a necessity of life. It is what helps me grow. Without freedom, I would not be able to learn from my mistakes or live up to my potential. It is the wind beneath my wings that lifts me to heights limited only by my dreams. I shall be eternally indebted to those brave people who fought for our country, those who gave their lives for future generations without thinking of themselves, those who, in the midst of furious war, ran to hold up the flag when it was falling. Because of these valiant people, America is free from all kinds of oppression and war.

I regret to say that I have taken my constitutional rights for granted on various oc-

casions. As I have watched the changing World events in the past year, I have learned to value my freedom. I am free to go fishing, to go skiing, or to participate in other recreational activities; I can attend any church I want to; I can be educated in any school I choose, and I can choose my own occupation. Through freedom of speech, I can criticize the government without fear of being kidnapped and shot. As I vote in the next Presidential election, I will examine the issues and, by secret ballot, choose the person I feel is best qualified. A nation becomes powerful and great by everyone's opinions, not just those of one leader.

Freedom is fragile, and must not to be taken for granted. I value my freedom, and put my confidence in my leaders to maintain and support my freedom.

Mr. SYMMS. Just to read a couple of highlights from it:

The majestic bald eagle prepared to leave the cliff overhang. Silently, it spread its wings toward the sky, then swiftly brought them down with a powerful stroke. Grace and beauty became increasingly apparent with the gradual swell in speed. Across the blue sky sailed the eagle, proclaiming assurance to all who caught a glimpse of this noble creature.

Mr. President, in the end of her article, to summarize, she closes with this final sentence, which I think is considerably insightful.

Freedom is fragile and must not to be taken for granted. I value my freedom, and put my confidence in my leaders to maintain and support my freedom.

Mr. President, in closing I want to thank all 1,600 of the students in my State who entered this contest. As I said earlier, the judges had to make some very difficult decisions. Though there could be only four winners, I believe all entrants should be proud of their work.

I would like at this point to thank those judges who had the difficult job of judging these essays. Dr. Bruce Loeb, professor and chairman of the communications and theater department at Idaho State University; Louise Shadduck, an author from Coeur D'Alene, ID, who has served Idahoans in a variety of positions both in Idaho and Washington, DC; and Gene Stanford, the manager of the Center for the Study of Market Alternatives, a free market education research organization located in Caldwell, ID. I thank them for volunteering their time, and it was greatly appreciated by all who participated in the contest.

Mr. President, I would like to speak on another subject.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Idaho [Mr. SYMMS] is recognized.

Mr. SYMMS. I thank the Chair.

(The remarks of Mr. SYMMS pertaining to the introduction of S. 2717 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EXTENSION OF MORNING BUSINESS

Mr. SYMMS. Mr. President, I ask unanimous consent that morning business be extended until 11:15.

The PRESIDING OFFICER (Mr. WIRTH). Without objection, it is so ordered.

The Senator from New York is recognized.

LETTER FROM KAZIMIERA PRUNSKIENE, PRIME MINISTER, REPUBLIC OF LITHUANIA

Mr. D'AMATO. Mr. President, this week I received a letter from a valiant lady, the Prime Minister of Lithuania, Prime Minister Kazimiera Prunskiene of Lithuania. It is dated June 5, 1990, and I will ask unanimous consent that the Prime Minister's letter be printed in the RECORD in its entirety following my remarks.

She says and outlines to the American people the terrible hardships that the Lithuanian people are undergoing. I wish to share with you and with my colleagues just some of the facts as she presented in this moving letter, which hopefully will wake some people up to the economic aggression and to the assaults on human rights and freedom that are taking place today by Mr. Gorbachev and his goons and thugs, the KGB and military, and the economic embargo that today has not only not diminished but has increased and in its intensity is something that has had terrible consequences on the people.

She says, "Thanks to you we were not totally forgotten while Mr. Gorbachev charmed the American public and many of its leaders."

How ironic that this is a man being hailed as man of peace, a man of compassion, a man who wants to give freedom, while he has an economic embargo that is bringing death and destruction to people who want nothing more than freedom and independence.

She said, "We need your help now more than ever."

By the way, Mr. President, this letter is dated June 5. It is this week, this past Wednesday.

"I need your support now more than ever." Talk about America, Americans who stand up and say to Gorbachev, "You want trade with us, you want economic concessions, you want to make the plight of your people better; then free from bondage and hostage and stop harassing people, stop the economic embargo upon the people who want nothing more than freedom but do not present any challenge to your authoritarian rule but who say let us live free, free from fear."

He received this award, the Four Freedoms, an award from former President Roosevelt. He talks about freedom of fear. What is he doing as far as freedom from want and hunger?

Let me tell you what the Prime Minister of Lithuania reports. She said:

The economic blockade has taken a terrible toll. As of Monday, 35 percent of Lithuania's industry, transportation and building enterprises were forced to halt their production. More than 44,000 workers have been laid off or forced to take unscheduled vacations. The hardships are going to increase dramatically in the coming weeks if the blockade is not lifted. We are in desperate need of fuel oil and gasoline to maintain the basic operations of food industry, health, and other social institutions.

The coming weeks are critical to our cause. Please continue to speak out again and again for Lithuania's right to reclaim its independence forever.

Mr. President, there are some who have said, "Senator, why do you do this? Why do you rock the boat?" Well, maybe it is rocking the boat to say look at what we are doing, and to say to Mr. Gorbachev that we are not going to do business as usual, that we expect there to be some normalcy in your policy as it relates to your own people, people who you claim to be part of the Soviet Union and yet people who you seek to crush by way of this economic aggression.

Mr. President, this is Tiananmen Square. It may not be by the use of guns, but when you deny people basic foodstuffs, oil, when you deny them the chemicals necessary to treat their water so that it can be pure, when baby food is not there, when medical supplies are in short supply, when people are dying, it is aggression.

Last week a trade agreement was signed between the Soviet Union and the United States. I happen to believe that that was wrong. I happen to believe that we should have said, "If you want that trade agreement, then stop your economic aggression against the people of Lithuania."

In light of these ongoing activities, I consider that agreement to be a travesty. After receiving this letter, I am more concerned and more convinced than ever that the United States and the Congress of the United States must block any attempt to reward the Soviets for their actions.

President Gorbachev charmed America on this trip, but it was just like an American politician wading into the crowds and taking questions and smiling for the camera. Unfortunately, his deeds do not match his rhetoric. It is time for this country to hold him to the same standards we are holding others to. We have to send him a message that says not one dime in trade or aid until Lithuania is free.

Mr. President, I ask unanimous consent that the full text of the Prime Minister's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LIETUVOS RESPUBLIKOS VYRIAUSYBE,
June 5, 1990.

HON. ALFONSE D'AMATO,
U.S. Senate,
Washington, DC.

DEAR SENATOR D'AMATO: I want to take this opportunity to thank you on behalf of the people of Lithuania for your consistent and courageous support of our country's struggle for freedom.

Word has reached us of your eloquent and forceful speeches on Lithuania's independence last week during President Gorbachev's visit to the United States. You had the moral fortitude to continuously keep insisting that the issue of self-determination for the Baltic nations be a top priority of the summit agenda. Thanks to you we were not totally forgotten while Mr. Gorbachev charmed the American public and many of its leaders.

But we need your support now more than ever. Let me bring you up to date on the situation in Lithuania. The economic blockade has taken a terrible toll. As of Monday, 35 percent of Lithuania's industry, transportation and building enterprises were forced to halt their production. More than 44,000 workers have been laid off or forced to take unscheduled vacations. The hardships are going to increase dramatically in the coming weeks if the blockade is not lifted. We are in desperate need of fuel oil and gasoline to maintain the basic operations of food industry, health, and other social institutions.

The coming weeks are critical to our cause. Please continue to speak out again and again for Lithuania's right to reclaim its independence forever. Every time news of your words and actions reaches us, we are strengthened in our determination to continue on the rightful road we have taken. Your leadership in the U.S. Senate is vital to us and we are profoundly grateful for it.

President Landsbergis and I, the members of the Parliament, and all the citizens of Lithuania send you our warmest greetings and sincerest thanks.

Very truly yours,

KAZIMIERA PRUNSKIENE,
Prime Minister,
Republic of Lithuania.

Mr. D'AMATO. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEFLIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL YEAR 1990 DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT: VETERANS MEDICAL CARE

Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs, I note that, on May 25, 1990, both the House and Senate passed, and the President signed, the conference report on H.R. 4404, the dire emergency supplemental appropriation for fiscal year 1990, now Public Law 101-302.

The original House-passed version of this measure contained a \$50-million

supplemental appropriation for VA's Medical Care account to enable VA to increase by the end of fiscal year 1990 its medical-care staffing to 194,638 full-time equivalent employees, which is the level estimated in the fiscal year 1991 budget request (H.R. Rept. No. 101-434, page 21). I was very pleased that, in response to my urgent request and that of Senator DECONCINI, the Senate Committee on Appropriations and the full Senate increased that amount by \$44 million, to a total of \$94 million. In adding that amount, the Committee on Appropriations stated in its report on the bill (S. Rept. No. 101-272) that the increased level "reflects the need to address the VA's medical equipment backlog" and "will provide for approximately 272,000 additional outpatient visits in 1990." The full \$94 million was retained in conference. The Joint Explanatory Statement accompanying the conference report specified "that at least \$30 million of the amount provided is to be used to increase employment to the 194,638 level by the end of the fiscal year" and that "[t]he balance of up to \$64 million is for additional medical equipment and supplies."

Mr. President, I would like to acknowledge and express my appreciation for the vital efforts of several of my colleagues who were instrumental in achieving this result.

First, I would like to thank and congratulate the Senator from Arizona, Mr. DECONCINI, a member of both the Appropriations Committee and the Committee on Veterans' Affairs, who joined with me in urging a substantial increase over the House add-on. I outlined the need for this increase in my statement on initial Senate passage on May 1 (CONGRESSIONAL RECORD, page S5436). I also wish to thank the Chair of the Appropriations Subcommittee on VA, HUD, and Independent Agencies, Ms. MIKULSKI, who, in this matter as always, demonstrated such concern for our Nation's veterans. Thanks also to, of course, to the distinguished chairman of the Appropriations Committee, Mr. BYRD, who included the \$94 million level in the measure when he proposed it to the full committee. The cooperation of the ranking minority members of the Appropriations Committee, Mr. HATFIELD, and the subcommittee, Mr. GARN, also were important factors in obtaining final approval of the increase.

I also want to thank the key members of the House of Representatives—especially the distinguished chairmen of the VA-HUD Appropriations Subcommittee, Mr. TRAXLER, and the Committee on Veterans' Affairs, Mr. MONTGOMERY, for their leadership in initiating an increase for the VA Medical Care account in the absence of an administration request and for their willingness to accept the Senate's fur-

ther increase. Special thanks also go to the two ranking minority members of these units, Mr. GREEN and Mr. STUMP.

Mr. President, although the \$94 million appropriation was significantly less than the amount I had initially urged, it is a substantial, much needed amount that will help ease the VA health-care system's current fiscal crisis. I will continue to fight for adequate funding for veterans' health care and other benefits and services as we consider the fiscal year 1991 budget, and I look forward to working with my colleagues in both bodies on that effort.

A YOUNG CHILD'S PLEA FOR THE RELEASE OF HER FATHER, TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 1,910th day that Terry Anderson has been held in captivity in Beirut. We often see the hostages as isolated figures, lone captives waiting the hours, days, years of their incarceration bereft of family and friends. Yet they are not the only ones alone. For each hostage held there is a wife without her husband, a mother and father without their son, a daughter without her father. Yesterday marked the fifth birthday of Terry Anderson's daughter, Sulome. She has never seen him. He has never seen her. But the stories Sulome's mother tells her of him make her happy. One hopes that this young child will not grow up without her own stories of her father.

Mr. President, as we approach the celebration of Father's Day, I ask unanimous consent that Sulome Anderson's letter to her father and the accompanying article, which ran today on the Associated Press news wire, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

HOSTAGE'S DAUGHTER APPEALS FOR HIS RELEASE

(By Mohammed Salam)

BEIRUT, LEBANON.—The daughter of American hostage Terry Anderson pleaded with her father to come home in a letter published in Lebanese newspapers Thursday, her fifth birthday.

In the message addressed to "my darling daddy," Anderson's daughter Sulome wrote: "Tomorrow is my birthday. I will be five years old. I know you have never seen me. 'I also have never seen you, but my mummy tells me everything about you and how you used to call me an active little baby,' the letter said.

"I like listening to stories about you, they make me happy. Mummy says you will soon come to us. Please come home daddy," Sulome's letter said.

"I love you daddy. I pray for you and the others every night," she concluded.

Sulome was born June 7, 1985, three months after her father was kidnapped. She lives in Nicosia, Cyprus with her mother.

The An-Nahar and four other dailies printed the original English text of the letter. Other newspapers printed it in Arabic.

Anderson, 42, chief Middle East correspondent for the Associated Press, was kidnapped March 16, 1985 by the pro-Iranian group Islamic Jihad. He is one of 16 Westerners, including six Americans, held hostage in Lebanon. Most are held by radical Shiite Moslem groups.

Hussein Musawi, a Shiite Moslem leader with ties to kidnap factions, said Thursday that if the West "especially the Americans, took a positive step toward our causes, that would be followed by similar steps (on our part)."

Musawi called specifically for the release of Arab prisoners from Israeli jails and said this was something the Americans and Israelis could accomplish.

He said the kidnappers' response to such a step by Washington would be "guaranteed by Syria and Iran."

Musawi heads Islamic Amal, a Shiite faction affiliated with the Iranian-backed Hezbollah, or Party of God. Hezbollah is the umbrella for extremist factions holding most of the hostages.

Musawi's statement to the communist Voice of the People radio station echoed a declaration by Iranian President Hashemi Rafsanjani on Wednesday.

Rafsanjani urged the United States to press for the release of Arabs held in Israeli jails and Shiite Moslem convicts in Kuwait in return for Iran's help in gaining the freedom of the Western captives.

Two American educators, Robert Polhill and Frank Reed, were released by their pro-Iranian kidnappers in Lebanon in April at Tehran's bidding. Iran said Washington should make a gesture in return.

An-Nahar and several other newspapers published an appeal from the International Committee of the Red Cross for the release of two of its employees, Elio Erriquerz and Emanuel Christen.

"The ICRC, dismayed by the abduction that targeted two members of a purely humanitarian organization, demands their immediate release and requests help from those capable of doing so," the Arabic-language statement said.

Christen, 33, and Erriquerz, 24, were kidnapped near the southern port city of Sidon on Oct. 6. No group has claimed responsibility.

The two worked for the Red Cross orthopedic center in Sidon, which provided people with artificial limbs.

A TRIBUTE TO QUENTIN BURDICK

Mr. ROCKEFELLER. Mr. President, it is with a great deal of pleasure that I ask my fellow colleagues to join me in congratulating a truly outstanding statesman and Member of this distinguished body, Senator QUENTIN BURDICK who celebrates his 30th year representing the fine State of North Dakota in the U.S. Senate.

To sum up in a statement such as this all of the accomplishments of this outstanding public servant would be impossible. He was, and is, a pioneer

and a champion in so many areas—agriculture, energy, rural development, labor, education, and aging. He has left a legacy of contributions in all of these areas, and continues to serve the public with energy, commitment, and strength.

In addition to all of his accomplishments in the Senate, the Nation and the people of North Dakota owe so much to this tireless worker. He has made a life-long commitment to public service, and we are all grateful for his leadership and hard work.

Senator BURDICK has served the U.S. Senate from June 28, 1960. Of the 1,792 distinguished Americans who have served as Members of the Senate, he is the 36th to reach the historic mark of 30 years of service in this body. I am so pleased to know and work with the distinguished senior Senator from North Dakota. I respect him enormously, and look forward to working side-by-side with him in the future.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AIR TRAVEL RIGHTS FOR BLIND INDIVIDUALS ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 341, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 341) to amend the Federal Aviation Act of 1958 to prohibit discrimination against blind individuals in air travel.

The Senate resumed consideration of the bill.

Pending:

Kassebaum amendment No. 2000, to establish guidelines for Federal standards of liability for general aviation accidents.

Mr. HEFLIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEFLIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, I understand and appreciate the divergent interests which are and will be represented on the floor today. I support fully the rights of those Members who wish to offer amendments in regards to this matter, they have that right. However, I disagree with the necessity of raising these amendments at this time.

Of course, I oppose certain amendments and am opposed to the present amendment. We have previously discussed and voted on the line-item veto

legislation. Currently pending is legislation regarding important tort reform legislation. I understand many other amendments including crime amendments are going to be offered to what could be a civil rights bill for the blind.

I am disturbed by the pending amendment, the general aviation product liability bill. This bill was recently reported out of the Judiciary Committee with a negative recommendation, and the Judiciary Committee report was only printed on Friday before we left for the Memorial Day recess.

While members of the Commerce and the Judiciary Committees are familiar to some degree with this bill, the clear majority of the membership of the Senate does not sit on these committees. The Members of the Senate must be given the opportunity to read, review, and study the suggestions of both committees before this issue is brought to a vote. So I consider it rather hasty action, and that hasty action can only lead to uninformed decisions and I feel poor lawmaking. They are very important, and I think they are best reserved for another day.

But nevertheless, we are debating this amendment at this time, and I ask unanimous consent that my remarks be printed together; that if there are any interruptions, or if I make more than one speech, it all appear in the RECORD as one speech and that my remarks regardless of interruptions or various other things be considered as one speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEFLIN. Mr. President, this bill has some rather far-reaching consequences. Involved in these consequences is a statute of repose. A statute of repose means that after a period of time expires, regardless of how egregious negligence or wantonness or willfulness might be, you cannot recover. For example, if there is a statute of repose on a bridge that a contractor has built and the statute of limitations is 20 years, and all of a sudden the bridge collapses because of defective workmanship, poor quality of products, or poor architectural design, or whatever it would be, and people are killed in an automobile on top of the bridge, there is no way they can recover. It bars all recovery.

Bridges in the United States today are many, and we have seen on television where bridges have collapsed because of the faulty construction of those bridges, but to deny the people who are injured and killed the ability to bring civil lawsuits, as it our course of action in Western civilization and in America; to say to a young widow who has children who are 2, 3, and 4 years of age, that they cannot recover and she has to go on welfare in order to be able to raise her family, is to me horri-

ble. The statute of repose that is put into this bill is a horrible approach toward the problems of general aviation.

General aviation is defined in this bill as being those airplanes where there are 20 or less passenger seats or passenger capacity. The same thing is true with a 20-year statute of repose.

If you are flying an airplane that is over 20 years of age and the wing comes off, under this bill you cannot recover from the manufacturer of that plane. Now, how many planes do we have in the United States today that are operating that are over 20 years of age? It is my information that the average plane in operation today is 23 years of age and that over half of the airplanes in operation are 20 years or older.

At the hearing in the Judiciary Committee, I asked the lawyer for the general aviation manufacturers, "Mr. Martin, some statistics would indicate that the average plane in operation today is 23 years of age and that over half of the airplanes in operation are 20 years old or older."

I went on to the question: "The opponents of the bill say that this bill has sleepers that are designed to unduly benefit the aviation industry, and point to a statute which would not allow any recovery where an airplane is 20 years of age, indicating that, if accidents occur in half of the airplanes today under this bill, no one would be able to recover regardless of the fault that might occur."

"Would you respond to this?"

"Mr. Martin: First of all, it is not a sleeper. It is right there on the face of the bill. This is a statute of repose, as we call it, which cuts off rights to recover under certain theories."

Then he goes on, and he says this about my figures, he is the lawyer that is representing the general aviation manufacturers,

"I think that the figures that you give at about half of the airplanes are older than 20 years, half the airplanes flying out there flying are more than 20 years old, are essentially right."

Those figures would mean that if an airplane is faultily designed, faultily manufactured, and if you get in an airplane, you had better find out something about it as to how old it is. We have seen much about metal stress that has caused accidents on airplanes. We have seen all sorts of things that occur that cause accidents that are tied into the manufacture and design of the plane, and other aspects that went into the preparation in the consolidation and manufacture of airplanes.

I think we at least ought to have an amendment that says every airplane that is over 20 years ought to have emblazoned across its body "If you fly in

this airplane and are killed, your widow cannot recover."

Well, let us assume that we did have such a sign that was emblazoned and printed that said that. But consider also what might happen where a faultily manufactured general aviation plane, a smaller plane which has less than 20 passengers, is flying and the wing comes off, and it hits a 747. The 747 is hit, and it falls on Yankee Stadium with a group of spectators who are there watching a ball game. The statute of repose protects the manufacturer who made the faulty wing from lawsuits, from the passengers of the 747 airplane. You are not going to have emblazoned or printed across that 747 airplane "Your widow cannot recover if we run into and have an accident with a smaller plane that is 20 years of age."

What sort of warning would you give to the boilermaker who is sitting in Yankee Stadium viewing the Yankees play—maybe they might be playing someday the Washington Senators again—and the plane falls on them? The 20-year statute of repose protects all of them. The 747 is not at fault. You cannot successfully bring a lawsuit against them because they did not do anything except for the wing that fell off the general aviation aircraft because of the defective manufacturer, hit the underpinnings and the underside of the 747, and caused the accident. The person in Yankee Stadium cannot recover.

So all of these people, the 400 people in the 747, or whatever number it holds, and the people in Yankee Stadium who may be killed or injured in regards to it because of a 20-year statute of repose which is in here because the general aviation manufacturer, they say it is not a sleeper—but they want to be immune from suit.

Then they look back and they say what in the world did Congress do? They said they were trying to protect an industry that they said was having financial problems, and yet the figures and the statistics have shown that in 1989, according to the General Aviation Manufacturers Association, airplane shipments by U.S. manufacturers were up 26.7 percent.

There was a nice Republican Congressman from Mississippi by the name of Larkin Smith who was killed in a small plane accident. I do not know the circumstances of it.

Congressman Mickey Leland of Texas whom we all revered and admired so greatly was killed, according to my information that I have received, in a general aviation airplane.

I do not know how many Senators fly in these small airplanes. I do not do much but on occasion I have to. It gets right close down to home. If I get in one of those airplanes that are 20 years of age and older, and a wing comes off, or the fuselage breaks, am I

going to tell my wife, "Honey, if you ever see me getting in an airplane without checking the age of it, you ought to bore me with the hollow horn," as we folks in our country used to say about cattle. But this bill has so many consequences. We in the Judiciary Committee considered this bill, and we had hearings on it.

We said in our own minds, if there ever was a one-sided bill that was designed to prevent almost any form of recovery, and when you get into all of the details and facts, rather than trying to amend it, it is so horrible that we just voted it out with a negative recommendation.

I understand the Commerce Committee, but the Commerce Committee has every sort of member, and that is as it should be. In the Judiciary they are primarily lawyers and judges, who look at the idea of recovery and who look at the western civilization concept of the fact that a person ought to be responsible for their actions; and if injuries occur, the ones that are injured should be able, under well-developed rules of common law, to be allowed to recover, rather than being put on welfare in some State, rather than having their right to have their life and dignity ruined, for their children to be educated.

We have believed in this concept, but rather than amend the bill, it is such a bill that has so many flaws in it, and it is so one-sided, that we felt like we ought to report this out negatively. We had only a 30-day period of time, and it expired. It may have been a little longer than 30 days, but the time expired, and we had to report it out, and it was reported out on the last day.

I am not real sure that the general aviation people, when they seriously consider all of this, that this bill is something that they want. Historically, the civil tort law of this country has been left to the States, and each of the States have designed their tort laws in the manner that they feel is best suited to the people of that State. I think that is a good concept.

You get into the Federal preemption, and what do you usually have? Business has been very, very cautious; they do not want a federalized workman's compensation law; they have opposed it. When I came to the Senate, that was a big issue. Really, when you get down to it, as a friend of mine back home said about these Federal cures—sometimes businesses seek Federal cures and they regret it. One of them said that every Federal cure he ever saw passed turned into a Federal plague for business. That is a concept that is there. But if you go to open up the tort law, the injury law, and take it away from the States, take it away from the lawmakers who are closest to the people, you are beginning to open the floodgates of what

can occur in many, many different ways.

My State just went through a tort reform movement, and they adopted law. Some aspects of this bill liberalize our tort law. It creates comparative negligence. My State still has contributory negligence. There are other aspects of this that in some ways business in my State is divided about, and they are very, very scared of something like this amendment. You get the Federal preemption and then what develops? They see the incidents where the wing came off of the plane that hit the 747 and then landed in Yankee Stadium, and by one stroke of the pen they began to write remedial legislation.

I think if somebody told me that they really thought that business in this instance needed over the long-term when some of the businesses were advocating this Federal preemption, well, that is up to, of course, every business group as to whether or not they need to apply for a guardian. I think you first have to be declared non compos, and there is some feeling that there are certain areas of business that maybe could be declared non compos in the advocacy of the approach relative to the Federal preemption in the whole civil tort law. I am not going to express an opinion on that.

But this bill has numerous problems with it. I want to discuss them at some later time as we are debating this. By unanimous consent, by one special situation, it continues as long as we are in the process of debating this bill. I feel that the bill has many flaws in it. The hearing record has not, as I understand it, been printed yet. The report is now available, but the hearing record is not. It needs to be carefully reviewed, and we ought to review it, be knowledgeable about it, before we take a drastic step.

Mr. President, without losing my right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection?

Hearing none, the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LIEBERMAN). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise in strong support of the amendment—

The PRESIDING OFFICER. If the Senator will withhold, under the previous order, the Senator from Alabama retains the floor.

Mr. HEFLIN. Without losing my right to the floor, I ask unanimous

consent that the Senator from Iowa be allowed to proceed with his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I am addressing the issue before us.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I thank the Senator from Alabama for granting me permission to speak on this very important issue. I also want to compliment the Senator from Kansas [Mrs. KASSEBAUM] for raising this issue. She has been a long time leader in this area, and this is a very real problem.

This problem has to be solved from several different points of view, not only from the standpoint of the competitiveness of our industry but also from the standpoint of helping solve some of the basic problems that face American society. And not only in this area of general aviation, but in too many areas there is an attitude that you can solve all of the problems facing our American society in the courts by suing someone. This sort of thought process has to come to an end.

Even though there are many ways of ending this way of thinking, the alternative dispute resolution, is one which I support. ADR is one of many ways and still some sort of limit on product liability is a very important aspect.

This is a very controversial issue. For the Senator from Kansas to be in the middle of this and fight so bravely in opposition to the plaintiff's bar is a very key role for her. It is also a very difficult role to be in and I compliment her for her efforts.

Mr. President, I rise in strong support of the amendment by the Senator from Kansas.

The General Aviation Accident Liability Standards Act, already favorably reported by the Commerce Committee, is a modest and fair approach to establishing uniform product liability standards for harm arising from general aviation accidents. It deserves the support of the Senate.

Manufacturers and aviation consumers alike identify product liability costs as the greatest single obstacle to the survival and success of the United States light aircraft industry, and to the continued safe operation of the active fleet. They agree that this is an appropriate Federal remedy to the problem.

In the present product liability environment, a general aviation manufacturer's liability can extend virtually forever. This has proven to be a big handicap to United States manufacturers as they are forced to defend lawsuits for airplanes that left their control as long as 40 years earlier, and that may have been altered, flown or maintained in ways not approved by

the manufacturer or the Federal Aviation Administration.

The decade of the 1980's has been devastating to this important industry. Over that time, product liability costs borne by manufacturers were the prime contributor to a dramatic change in the industry. Paid claims and out-of-pocket defense costs increased ten-fold, resulting in a sharp increase in prices and an equally sharp decline in industry shipments to a record loss of 1,085 units in 1987—less than 10 percent of the 17,048 airplanes shipped in 1979.

This long and precipitous decline defied the historical relationship between real GNP and industry shipments. According to the Department of Transportation, the two had moved in tandem prior to 1980. Nevertheless, general aviation shipments plunged despite a period of growth in the United States economy and an excellent and ever-improving industry safety record. As a result of this depression, several plants were closed, entire product lines were discontinued, and about 65 percent of the manufacturing jobs were lost.

By establishing a uniform product liability standard for general aviation, this amendment would benefit the industry in the following ways.

First, it would remove much of the uncertainty in the current tort system by making clear the circumstances under which a party is liable. Second, it would set a reasonable time limit on a manufacturer's liability—20 years. Third, it's comparative responsibility provision would put a stop to the manufacturer with deep pockets being financially liable in circumstances where other defendants are not prepared to pay their portion of the court-determined damages. Fourth, it would limit punitive damage awards to cases where it can be shown by clear evidence that the harm was the direct result of a flagrant indifference to safety—a provision common in many State laws today. Fifth, it would remove disincentives for innovation. For years, product liability costs have eroded assets and resources—time, people, and money—that would have otherwise been spent on the advancement of aviation.

In my view, the amendment provides reasonable hope for the survival of an American industry that has been crippled by rising liability costs, without cutting off rights to injured parties. It is modest, fair, and justified. I urge my colleagues to adopt this amendment.

I yield the floor back to the Senator from Alabama.

The PRESIDING OFFICER. Under the previous order the Senator from Alabama retains the floor.

Mrs. KASSEBAUM. Mr. President, will the Senator from Alabama yield to me without losing his right to the floor to respond to some of the ques-

tions he raised in his opening comments?

Mr. HEFLIN. I am delighted to do so, without losing my right to the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mrs. KASSEBAUM. Mr. President, I certainly appreciate that and wish to respond to a few of the questions that have been raised and have been raised many times during the course of the 5 or 6 years that we have been debating this.

I would also just like to add, before the Senator from Iowa [Mr. GRASSLEY] should leave the floor, that I very much appreciate his comments. One of the concerns that has been expressed regarding the statute proposed is it is 20 years in S. 640. It originally was 10 years. We extended it to 20 years.

I would like to explain, Mr. President, why I certainly believe that this does not deprive victims of a forum for redress in aviation accidents.

It is true that over 50 percent of the 210,000 active aircraft in the general aviation fleet are now more than 20 years old. But data from the National Transportation Safety Board indicates that the primary cause of 90 percent of general aviation fatal accidents is pilot error. The remaining 10 percent of fatal accidents have a variety of causes, including adverse weather, poor aircraft maintenance, air traffic control errors, and a few instances of design or manufacturing defects. S. 640, therefore, will allow injured parties to seek damages from the parties who cause an accident, including manufacturers. This is not something that is denied under this legislation.

Nothing tests the quality of an aircraft design or manufacture better than real world use over a long period of time. General aviation manufacturers contend that their aircraft, if properly maintained and inspected, can have almost unlimited life. As new aircraft model design or manufacturing defects are uncovered, manufacturers alert owners, prescribe remedies, and accept liability where it is appropriate. Almost all—over 95 percent—of these problems are uncovered in the first 8 years of a new aircraft model's life. S. 640 recognizes that after 20 years of real-world testing, an aircraft's original design and manufacture have been thoroughly proven, and they should not be considered in liability claims.

The material problems which surface in the latter years of an aircraft's life can be remedied with proper maintenance and inspection. S. 640 insures that manufacturers always retain their responsibility to inform owners of additional maintenance or inspections that may be required as an aircraft ages. If a manufacturer fails to comply with this responsibility, the company would be liable for subse-

quent accidents regardless of the aircraft's age.

Also, in S. 640, we take into account that with a part that might be replaced, the 20 years starts running again. So each time there is a replacement, it is an additional 20 years on any part that is added.

I know that one of the real concerns of the Senator from Alabama—and with the extensive legal and judicial background that he has I can certainly appreciate that—is that the general aviation product liability would infringe on States' rights.

S. 640 does indeed supersede and preempt State law with respect to general aviation tort cases. Yet, the Department of Justice has determined that the bill is "less favorable for non-governmental defendants than the tort reform provisions already adopted in some States." In some cases, it would enhance plaintiff's rights.

Additionally the aviation industry is almost totally federally regulated—more than any other industry. And that is why I believe this particular situation in general aviation is unique and unique in how it would be applicable to the question of Federal preemption and tort reform. The Federal Government oversees every aspect of the industry from the design and manufacture of aircraft and component parts to Federal licensing of pilots and mechanics to the control of air traffic. Even accident investigation is spearheaded by a Federal authority. Yet, liability after an accident is decided based on laws which differ significantly from State to State. Such a federally regulated industry needs and deserves uniform liability standards.

Mr. President, I would just like to answer one other question that the Senator from Alabama posed when he said there was division within Alabama regarding this legislation, and that is true, of course, for most States. But I received a letter the other day from William Boettger, who had testified before the Judiciary Committee.

Mr. Boettger is president of Teledyne Continental Motors, Aircraft Products, in Mobile, AL.

Let me read the letter, if I may.

DEAR SENATOR KASSEBAUM: On March 9, 1990, I testified at Senator Heflin's hearing on the S. 640 bill that the impact of product liability costs has reduced the sale of engines to OEM's for new General Aviation aircraft by over 90%. Teledyne Continental Motors in Mobile, Alabama lost over 500 jobs as a result.

The activity we see developing now for production of light aircraft is in Eastern Europe, Western Europe and South America. It would be a real tragedy for the greed of our lawyer population to drive another American industry off shore.

Let me just say, I do not want to point fingers at the lawyers or at those who might question this, because I think there are logical reasons to have objections to this legislation

that they could make. I do not believe, however, that, in light of the situation regarding the general aviation industry, any of those arguments hold up.

I have many other points that I could make and refute. I say to the Senator from Alabama that when he mentioned the case of a plane crashing into Yankee Stadium and people not being able to sue, he corrected that I believe later in his comments because, of course, there is a provision, which we amended to the original bill a couple of years ago, so that indeed anyone on the ground, not a passenger, not in the plane, would be able to sue. So clearly that is something taken care of because there was concern that that might cut off that forum.

I think there was one other issue that has always been brought up regarding this and that is that the Beech Bonanza V-tail, designed in the 1940's, is an example of where the aircraft manufacturer would have been excused from any liability. Two hundred of these aircraft fell apart in the air.

According to Beech Aircraft, 10,403 Bonanza V-tail airplanes were delivered between 1947 and 1982. The accidents in question are a compilation of occurrences over 35 years. The problems of the Bonanza V-tail stemmed from aerodynamic characteristics that were unknown when this high-performance airplane was designed. Only after an extended Beech/FAA program were the original deficiencies identified and corrected. The aircraft was improved as a result of this government-industry program, not lawsuits.

The 200 aircraft did not simply "fall apart" in the air. They were pulled apart by massive aerodynamic loads. Two additional points are worth noting. First, virtually all were involved in adverse weather conditions beyond the capability of the pilot to properly handle. And second, Bonanza owners were repeatedly sent safety communiques calling attention to the potential dangers and stressing safe operating procedures.

According to National Transportation Safety Board reports, most of the airplanes broke apart from the excessive speed on descent, often in unusual attitudes from pilots unable to cope with severe turbulence under "no visibility" conditions. The airplanes were certified to a prescribed Federal design specification, but the specification was not fully adequate for all foreseeable cases of aerodynamic loading that could act upon the V-tail. If properly handled in weather conditions within a pilot's capability, the airplanes, even before the Beech-designed and installed modification, were safe. The modification enhanced the margin of safety.

Today, according to the NTSB, the Bonanza V-tail is one of the safest

single engine, retractable gear aircraft ever built. Also, it remains one of the most popular models among aircraft owners and pilots. The May 1990 edition of *Flying* magazine pictures a Beech Bonanza V-tail on its cover and features it in its cover story on the "Ten Best Affordable Used Airplanes."

I realize that much has been made about the recovery of the general aviation industry and that the cost of insurance really is not the question. It is true the industry has recovered, but it went to rock bottom. And the recovery figures are based on that rock bottom to which it has plunged.

I think, as I have spoken before, Mr. President, what troubles me that most is that we are eroding an industry which has always provided us with pilots, which has provide us with with a younger generation of people who understand and learn and care about flying and aviation. I think they should continue to have that opportunity.

I appreciate the patience of the Senator from Alabama for yielding to me. I have many other answers that I would like to make, but I have a feeling the majority leader would really like to carry on his business.

Again I appreciate the Senator from Alabama yielding to me.

THE PRESIDING OFFICER. Under the previous order, the Senator from Alabama retains the floor.

Mr. HEFLIN. May I inquire of the majority leader, does he desire to make a remark? I yield to him.

THE PRESIDING OFFICER. The Chair recognizes the Senate majority leader.

THE SENATE SCHEDULE

Mr. MITCHELL. Mr. President, it is now evident that there will be no further progress on this bill today. The legislation, Blind Air Passengers Act, has unfortunately become tied up in extended debate on the pending amendment and I am advised that there are many other amendments waiting to be offered to the bill, many of which may also be nongermane.

This is the fourth bill that we attempted to complete action on during this week, without success. There were, as we all know, two cloture votes on the crime bill. Cloture was not invoked and that remains in abeyance.

We attempted to bring up the Tongass Forest bill. There was a threatened filibuster. As a consequence, taking that bill up was delayed until next Tuesday at the earliest, although we did obtain an agreement which hopefully will reduce the length of time required to act on the bill.

We brought up the Amtrak veto override. That, too, was delayed to next week because of attendance. The distinguished Republican leader has,

as is his right, of course, indicated that because several Senators were absent it would not be possible to vote on that this week. As we all know, any one Senator, and certainly any group of Senators, may prevent action by virtue of the Senate's rules which permit unlimited debate.

Accordingly, we have been unable to complete action on any of the four measures which we attempted to act on this week. I hope we are going to be able to move promptly on all of them in the near future. But, as I look down the road, I see that we have reached a point where most of the measures now awaiting action are themselves controversial and likely to provoke similar delays in handling.

We have to take up the budget resolution. The Banking Committee recently reported out comprehensive housing legislation, which I hope to be able to act on soon. As we know, the family leave and family planning bills are pending. The farm bill will soon be before us, a very important bill for many Members. I hope to act on the EPA Cabinet-level bill. There is pending civil rights legislation. We hope and expect to act on campaign finance reform in the near future. And, of course, all of that does not even contemplate the DOD reauthorization bill, which is always a lengthy, time-consuming measure, and the several appropriations bills which we will have to take up in a later legislative period.

I believe this has been a very productive session so far. The Senate has acted on a number of major measures: The clean air bill, the child care bill, the Americans With Disabilities Act, the oilspill liability legislation—a whole host of measures which have become law. Others, which are still in conference between the two Houses, already have marked this as a very productive session, which will require further and final action before we can call it a successful Congress.

But it seems to me clear, Mr. President, that given the manner in which events have developed, we are going to have to reconsider the Senate schedule and the manner in which we have conducted business in the past year and a half. Whether by design, coincidence or for a whole host of factors, we are just reaching a point where it is very, very difficult to move forward on any legislation. And as we get later in the year, closer to the end of the session, closer to the election, and the remaining bills increase in controversy, that will become even more difficult.

I have attempted to be as accommodating as possible to the individual requests of Senators regarding the scheduling of votes. To my memory, there has not been a single so-called procedural or bed-check vote. The number of votes has been down and there have been very few votes on Mondays or Fridays.

Unfortunately, one result of that accommodation has been to engender an even greater number of requests for accommodation. I am not one who believes that a Senator is working only when the Senator is on the Senate floor, debating legislation. Each of us here knows better. There are many important other duties to perform outside this Chamber: Hearings, committee markup of legislation, meetings with constituents here in Washington and, importantly, meeting with constituents in our home States. Those are all an important, indeed an essential part of every Senator's duties.

But, as we all know, those are preparations for or prelude to action on the Senate floor in the form of legislation. We meet with constituents to become informed of their views to enable us to act properly when we vote on legislation. We have hearings and markups to draft and develop legislation for consideration in the Senate. Those activities are not a substitute for, but are in connection with and preparation for, legislation which necessarily involves activity on the Senate floor.

I recognize that in the conduct of these various duties, Senators cannot always be present. But we simply cannot conduct the Senate's business in a manner which permits each Senator to be here only when he or she chooses and to expect that nothing will occur while he or she is absent. It is one thing for a Senator to attend to other duties. It is quite another thing for a Senator to attend to those duties and expect that nothing will happen in the Senate while he or she is not here.

I think today affords a good example of that. The Senate is in session today, is considering legislation. Senators were advised that rollcall votes were possible. And, yet, by last count, 27 Senators are not present today. It reached the point where the author and sponsor of the amendment, the distinguished Senator from Kansas, stated this morning that she did not want a vote on her amendment because so many Senators are not here.

So departure creates a self-fulfilling prophecy. People who simply leave hoping that there will not be votes, by their absence make it certain that there will not be votes.

Obviously, that circumstance cannot continue. We all have an obligation to conduct the public's business. It is what we were elected for and those of us in leadership have a special responsibility to see that the conduct of the Nation's business proceeds to the extent possible accommodating the convenience of Senators but, if that is not possible, ultimately it must be done even at the expense of inconvenience to Senators.

Accordingly, I want to advise all Senators that I will, in the next few days,

be reconsidering the manner in which the Senate conducts business for the remainder of this year. And I invite all Senators who wish to do so, to advise me of their suggestions as to how best to proceed. For the benefit of Senators in making such recommendations, I will state that I am considering the following: curtailing the August recess; extending the anticipated adjournment date beyond that which is now planned; having regular votes on Mondays and Fridays; and, in order to do that, because the mere threat of votes as we have seen today does not mean anything any more, having procedural votes early in those days to, in effect, compel attendance unless Senators are prepared to miss votes in that regard; and to remove any limit on the length of sessions during the evenings during the week.

I have been pleased and gratified at the response by individual Senators as to the manner in which we have been able to proceed so far. It has been my desire and I hope to the extent possible under these difficult circumstances I have succeeded in meeting the expectations of Senators with respect to the so-called lifestyle in the Senate, but each of us recognizes that ultimately our responsibility is a public one, and that we must be in a position to do the Nation's business, and that all other considerations must ultimately give way to that overriding public responsibility.

I do not want to take any hasty, or precipitous, or ill-considered action or to overreact to the events of this week, because each week is not the same. We will, I think, very likely have a productive week next week, but I think it clear that some action must be taken and some rather dramatic changes made in the conduct of the Senate's business.

I have discussed this privately with the distinguished Republican leader, and with other Senators, and made remarks briefly alluding to this subject yesterday, but I wanted to take this opportunity to make it clear to Senators what I am reconsidering. I have had several Senators urge me this morning to make a motion to compel the attendance of Senators, those Senators who stayed here in the expectation that there might be votes and are now concerned that there will not be and they missed an opportunity to leave and make some other event.

I must say that I did consider that this morning and considered it for Monday as well. But I do not want to take any action without prior notice to Senators. I think if there is going to be a change in policy, it has to be the result of a careful, deliberative process with full notice to all Senators.

Accordingly, I will not do so, and there will not be any rollcall votes on today or Monday. But by my state-

ment today, Senators are on notice that such consideration is underway. I will make a decision and make an announcement next week following each Senator having the opportunity to advise me of their views and recommendations in this regard. It is my current view that some change is necessary, and the only question is the extent of change and what manner of change ought to occur.

I thank my colleagues for their consideration and the managers and those interested in the pending legislation.

SCHEDULE

Mr. MITCHELL. Mr. President, with respect to the situation for next week, I have discussed this with all concerned, and it appears to me on the pending legislation, reluctantly no choice remains but to file a cloture motion which would set up a cloture vote on this bill on early Tuesday morning. If cloture is obtained, I believe it would be possible to complete action on the bill in a relatively short period of time. If cloture is not obtained, why then we will have to discontinue action on this bill and proceed to something else. I regret that because I think while the blind air passenger bill does not affect a large number of Americans directly, it affects in a very real and important way a relatively small number and, in a broader sense, I think is a statement of our society.

Under the agreement entered into the past week, I have authority to proceed to the Tongass Forest bill no earlier than Tuesday. It is my present intention, and I have discussed this with the distinguished Republican leader, to proceed to that immediately following disposition of the pending bill, however this bill is disposed of.

Then, of course, under the other agreement entered into this week, we will vote on the veto override of the Amtrak legislation on Tuesday evening.

Thereafter, I hope we will be able to move to the budget resolution, and I hope we can do it in a way that accommodates the interest of all concerned, including the continuing budget summit. I have discussed that briefly this morning with the distinguished Republican leader, and we will be having further discussions in that regard. Then, of course, we expect to receive a report next week on the crime bill. We have all of these other matters to which I earlier referred which may be called up at any time thereafter.

Mr. President, I thank my colleagues for their attention. I will yield the floor. I note the presence of the distinguished Republican leader, and I want to afford him the opportunity to make any comment as he deems appropriate.

The PRESIDING OFFICER. The Senator from Alabama under the previous order has the floor.

Mr. HEFLIN. Mr. President, in view of the statement of the majority leader that there will be no votes today, I yield the floor but with the right still as to the continuation of the debate in the future that any remarks that I make later be printed in the RECORD as one speech and that I be allowed to speak at intervals and times with interruptions. I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Republican leader.

Mr. DOLE. I thank the Chair and the Senator from Alabama.

I have visited with the majority leader, as he has indicated. I think he has expressed the frustration of leadership. It is frustrating at times, but it is very rewarding sometimes.

I must say, I was sitting here thinking of all the things I tried to dream up when I was majority leader that might speed up the process. I think I tried them all, but none of them worked because this is a very unique institution.

The fact that we extend the days or reduce the recess does not mean we are going to do anything during that time. That sometimes has an adverse reaction or it backfires. I am pleased the majority leader indicated he has not made any determination yet and there might be opportunity for input. Maybe it is time we have the 100 Senators get together again and sit down and discuss what are very real problems.

I must say, having said that, there are some of these pieces of legislation we do not think ought to pass. We do not know why you are in a big hurry to bring up some of these turkeys. We have a different view with reference to some of the legislation. I think that is probably the view generally of the minority, whether it is a Democratic minority or, in this case, a Republican minority. The President of the United States has an agenda. We are more attuned to that agenda. He may have different views than the majority of the Congress on whatever the issue may be.

Again, we have to reserve our rights, even though it means an inconvenience to the leadership on both sides if we are opposed to certain legislation, as we will be to some of the items mentioned by the distinguished majority leader.

Plus, again, I think it generally falls on the minority because the majority can determine the agenda, and should. And they can prevent amendments, as they have done on the crime bill, for example, and maybe they should. We have no option then on the minority side other than to try to offer an amendment to everything that comes up. That leads to cloture and that

leads to additional debate and additional time. It is a very difficult problem, certainly as the majority leader discussed and as the majority leader understands.

Having said that, it is my view that we should cooperate at every turn. I hope we have been able to do that in nearly every case. Sometimes you just cannot do it. Sometimes you have a majority on this side that indicates do not do that, that is not our view. Obviously, when that happens, the leadership certainly listens to our colleagues.

So I say to the majority leader, we will be happy to have input on what changes might be made and what impact they might have.

I will be visiting with the majority leader privately. But the Senator is absolutely correct. I think there are a number of absentees today. Some are, as the majority leader said, legitimate. They are all legitimate. They are back in their States working. And a lot of taxpayers think they are better off when we are there because we cannot do anything to them while we are home; while we are on the floor we might raise their taxes or do something they do not like and they will not hear about for years but we think is great.

I know the Senator from Iowa, who is here, wanted to be home. But Senators are visiting with constituents. Others have children graduating or are involved in other activities. Two of our colleagues are all the way in Czechoslovakia doing very good work in monitoring elections. As the majority leader indicated, the fact that not all 100 of us here does not mean things are not happening and the fact 20-some are absent does not mean they are all at the beach somewhere. They are probably working. There may be one at the beach. Who knows?

In any event, we certainly will cooperate with the majority leader.

Having said that, would it be possible to have that first cloture vote after the policy luncheon, or does the Senator want to have that before noon?

Mr. MITCHELL. Mr. President, I suggest we discuss that privately and we will have an announcement on it later.

Mr. HOLLINGS. Mr. President, I have a one-line amendment to the Constitution, and it has been seriously presented. In fact, a majority of Senators have already voted in support of it. It simply states that Congress is hereby empowered to place limits on expenditures in Federal elections.

We all know of the distorted Buckley versus Valeo decision which equated free speech with political money, so that if we limit campaign expenditures we therefore are limiting free speech. This leads to gross distortions, and actually has limited free speech, because if my opponent has, let us say,

\$100,000 and I have a couple of million dollars, I can effectively give him lock-jaw. His family will wonder why he has not answered my charges, why he did not appear, why he is not on TV. They'll say to him, "Aren't you interested in getting elected?"

So, in essence, why Senators are not here on this Friday is because they are out working because they have to collect \$10,000 or \$11,000 a week in order to keep their seat in this body.

So that after Monday and Friday, I am glad when we get back in session; I can catch my breath. For example, last week I was in Charlotte, NC, in San Francisco, Denver, Chicago, New York. I kept moving constantly. So these weeks are by no means holidays; instead, we are hustling to allocate our time and effort to raise campaign money, which is outrageous.

It takes 20 percent of your time and mine. They calculate that, on average, a Senator must collect some \$10,000 a week. And so we can get everybody back here, we can eliminate the \$10,000 a week routine over the 6-year period, if we limit spending to so much per voter. That is what we intended back in 1973. Our Republican colleagues sponsored it along with us. President Nixon signed it into law. And under that measure I would be running a race in South Carolina at \$600,000.

My South Carolina colleague, without any opposition, is raising \$2 million this year because he does not want to risk an ambush at the last minute. We have learned in politics the art of making maximum use of the media, with television mixed with magazine articles, radio shorts, early morning radio for the farmer, particularly targeted programs for students coming out of the classroom in October. We have everything tailor-made, all in 20-second bites.

The distinguished former Senator, Dee Huddleston, of Kentucky, had a 25-point lead on the 1st of October. By November 4 he was voted out of the Senate. He got ambushed. So even though you have a good lead, even though you have a good record, even though you have all your friends saying do not worry and so on, you cannot rest comfortably. You are still out there hustling all the time, and that is why Senators are not here. They will not be here on Monday because you have to look ahead and say, well, yes, I must schedule a fundraiser Monday because I know I cannot be there these other times.

AIR TRAVEL RIGHTS FOR BLIND INDIVIDUALS ACT

The Senate continued with the consideration of the bill.

Mr. HOLLINGS. Mr. President, returning to the subject of aviation product liability, I have direct com-

ments to make. We have heard this litany before, that yes, it is a problem but it is being well-handled by the States. This is, of course, the theme of this administration. The best government is the least government. But even better government is when the local folks make the decisions on these juries in product liability cases.

I saw a news article this morning where a minority, a young black man, working in the industry there in New Hampshire did not seem to get adequate training, and if he was not getting the training, he was not able to advance himself, and not being able to advance himself constituted discrimination, with a resulting loss of income. And in their zeal to ensure that this never occur again, the jury came in with some \$3 million, but the Court in the State of New Hampshire cut it to \$300,000.

I do not know whether this crowd has ever practiced law before, but they act like they are kings up here in the Congress, that the country cannot run without us.

The truth is that this country was organized on the principle of States' taking responsibility. We have federalism and under the Constitution we relegate the police power to the several States. Tort law has always been subject to the police power of the several States, whether it is an automobile accident, a malpractice case, an aviation accident or otherwise. All of those are within the jurisdiction of the States. And product liability is administered by the States. There have been over the past 10-year period, and particularly during the 6-year period that the Senator from Kansas has been on this issue, modifications to the point where they have been very, very responsive. At the end of last year, Beech Chairman Max E. Bleck, of the General Aviation Manufacturers Association, stated that "the average age of the 220,000 aircraft in the general aviation fleet is 21 years. One-quarter of the fleet is more than 30 years old.

According to Bleck, the light, single-engine aircraft was "overbuilt" *** (and) "Will not wear out in the lifetime of an owner—provided they are meticulously maintained and inspected."

But then, of course, it hinges on the maintenance and inspection and—

Bleck noted that any inspection program will not succeed "without the cooperation of the owners and operators and the FAA."

Then Cessna. We have had quotations about Cessna going broke, people not selling planes, Chicken-Little, "The sky is falling." Not at all. We will find out. They are making way more money.

Specifically, so people will understand, last year they increased their sales to a total of 1,535 planes, an increase of 26.7 percent. The dollar value of sales went up 40 percent. So here there is a problem. These fellows

come here 6 years later with their 6-year-old talks. I can tell you now they are in business. I am going to tell you why they are in business after I quote these things here.

Cessna Chairman Meyer characterized a typical general aviation accident as one that "involves an aircraft * * * which is flown infrequently, is probably not hangared, receives minimal maintenance, contains antiquated equipment, and is flown by a low-time pilot.

I continue to quote, and this is from an article in Pilot Briefing, "Avionics for the 1990's and Beyond," dated June of last year quoting Mr. Meyer of Cessna, the chairman,

With tougher airworthiness requirements, implemented aggressively by the FAA, and with type-specific flight standards, I believe it is realistic to reduce the level of accidents by at least 50 percent. That reduction in accidents would reduce liability costs by at least 50 percent, a point at which production of new single-engine aircraft once again becomes economically feasible.

Last year it was becoming economically feasible. Why? Because we do not read these studies. Six years ago we had a GAO study of the entire matter. The GAO study and testimony—this is by John C. Finch, Senior Associate Director of General Government Division, the General Accounting Office, and the date is May 20, 1986. This was back in 1986, I quote him. "Property casualty companies have used the pricing strategy"—this is when they said "Oh, my gosh, the prices are going to put us all out of business"—"have used the pricing strategy which sacrificed underwriting profit margins in order to generate cash for investment purposes. As a result of this strategy, the property casualty industry has made, depending upon whose estimates are used, \$52 and \$79 billion in net gains over the last 10 years.

Furthermore, like many other businesses, property casualty underwriting is subject to profitability cycles. While underwriting losses have mounted since 1980, estimated data for 1985 indicate that the underwriting cycle has turned and is now moving in a positive direction. Indeed, the industry itself is projecting substantial net gains over the next 5 years.

Indeed, here we are 5 years later with the net gains. This is the case.

To bring up this issue on my blind-access bill when I am trying to stop airlines' discrimination against the blind is a travesty. They know this. But they are playing the politics of the FAA, Chamber of Commerce, Industry Advisory Council, and so forth. I played with that group, I say respectfully, politics on labor law reform. So I know them intimately and respect them, and admire them. Unfortunately, they are all dressed up with no place to go. I wish they would come here and talk about spending—the Government spending—\$300 billion more than we are taking in. We had them charged up a little while in

the early 1980's. In the Wall Street Journal, they were taking double-page ads with five former Secretaries of Defense and seven former Secretaries of Treasury saying "We have to do something about the deficits." That is when the deficit was going over \$100 billion. Now we are spending over \$300 billion.

But now they are worried about something that is being handled at the State level, and on an issue vital to the safety of you, me, and everybody in the traveling public. Don't know about these product liability situations? Have we not just heard?

(Mr. ROBB assumed the chair.)

Mr. HOLLINGS. I want everybody to understand the depth of feeling I have on this point.

I knew Scott Carpenter in the very early days of the Mercury program. They asked "Suspended up there 150 feet in the air, and you are getting ready to blast off, Mr. Carpenter, what is your feeling?" He said, "Look, you are on your backside, looking up and you are about to be blasted off into the air 100 miles up into the atmosphere, and you are going 21,000 miles an hour and below you are 22,000 parts made by the lowest bidder."

And remember the Challenger disaster.

What did the engineers say up there at the manufacturer? They said we were gathered in the room. This is the objections: cold weather; they knew about the O-ring, they knew about its contractions, and the leaks that were caused; they were working on it but they had not solved it. That is why the fellow up in Utah said "Do not fly." They tried to overrule him three times and he continued to say so. Now they gathered. The word is "Go." We were all worried. "There were 12 of us seated around," said the engineers, in the little room. There it went, the blast-off, and I said "There she goes." And John next to me, he said "Wonderful. Like a piece of cake." And then the explosion, and he said everybody in the room knew why.

They appointed the Rogers Commission to find out the cause and they never did because they were hell-bent to get that thing up in the sky.

Oh, no. Product liability.

Now we have it fixed, with the highest degree of care. I can tell you how they do it. The plaintiffs' lawyers even make a living because the insurance lawyers fix those things. They fix them. We already had an amendment about fixing things. You would think the pilots and the aircraft industry, would be interested in safety. The junior Senator from Missouri told us of coming on the airplane with his little child. He has been fighting it for 9 years.

He said, "I had my baby in a safety seat in the car. I ran up the gangway and put the safety seat on the plane,

and they said, 'Get rid of the safety seat, and hold the baby in your lap.'"

So many a child has become a living projectile, killed because of that unsafe practice, because the airlines want to sell that seat. They do not want to put a safety seat for a little child there. So now we have to force feed an amendment.

In the Iowa, investigation they had Hartwig portrayed as an unstable fellow, under all kinds of pressures, suicidal, and now we find out it was a case of product liability. You can see how the Navy investigators could not be wrong. You know how the system works.

I hasten to note that I represented and organized insurance companies; I cleaned up the insurance mess as Governor in the State of South Carolina. Everybody will tell you that. This bill is not self-serving. There is balance and objectivity in what I say.

I can tell you that in 20-some years, the cases I tried had long since been investigated by the insurance adjustor. I talked about the laziness of insurance lawyers. They have these nice ties, and they are all dressed up, and they have adjustors doing the investigations.

Invariably, that plaintiff's lawyer is talking to the witnesses themselves, feeling the flesh, and understanding what they really know and what they do not know. They get out and they fix things. They have their own minds, and they are going to save money and everything else.

One of the last major cases I tried in the Federal court, incidentally, was not any runaway jury; it was totally sustained. But they had moved that the Sun was rising in the west. It was very, very interesting. It was a week-long trial, and I had to hide those pictures from the first day when they submitted them. I recognized it immediately, because I had been out on that site a dozen times, and I knew it by heart, and I knew by case.

When they said, "We have pictures," and they showed a narrow bridge, and they had the sun rising in the west, I just smiled to myself and told my partner to get lockjaw and do not mention that until the last witness gets on that stand.

I have seen this thing over the years, and I have seen the way they come around. They have tried their case on product liability in a similar fashion. They came here first, Mr. President, and they said that we are having a litigation explosion. We are busting out all over with product liability cases.

So we had a study by GAO and found out that over the period of 1981 to 1986 product liability cases, relating to the products they talked about, grew at an average rate of 4 percent as compared to 5 percent. The conclusion was that the increase was concentrat-

ed in the asbestos cases, and agent orange, and Dalkon shield.

Here is the report, "Product Liability, Extent of Explosion in Federal Court." They rejected the notion that there was an explosion.

Then they said we have an insurance crisis. And we found out that when interest rates dropped, investment income was dropping, the premiums went up, and it was—well, according to 13 attorneys general, this is a case of boycott and conspiring. So we have a bill in the Judiciary Committee to federalize insurance. There are several bills on the House side in the Judiciary to federalize insurance, take it away from the States and say if they want uniformity on these things, instead of an insurance commissioner, what we ought to have is federally supervised insurance.

Because I can tell you, having been the chairman of the Commerce Committee with the insurance jurisdiction, we have not been able to find out their cost. We have tried every way in the world. We subpoenaed them—they will not give us the records, or anything else like that—because we feel positively that the money is there.

And, of course, later on we found out that the insurance industry is in very good shape. Problems arose not from any explosion of product liability cases; it was because of the way they were doing business, closing down the hospitals in the State of West Virginia, and so on.

Florida went along with the insurance industry on everything they asked for, and instead of the rates going down, they went up in the State of Florida. There is a track record there they do not want to listen to.

"Product Liability in the Business Sector," a study by the Rand Corp.:

My feeling is that the available evidence does not support the notion that product liability is crippling American business.

"Not by any manner or means," said the author of the study. "242 Risk Managers of the Major Corporations", that was another study by the conference board, and they found out it was less than 1 percent for two-thirds of the particular industries involved.

Product liability suits did not hurt business at all. In fact, now we know, as I have just cited, that this past year, their sales have increased 26.7 percent, and the dollar value zoomed some 40 percent. So they are in business. They will have the problem with the single-engine plane of the type that this particular Senator has flown in, and I know the Presiding Officer has.

But I tried my dead-level best to get a twin engine, and a pilot and copilot. But knock on wood, the Lord has been good. I have lost 11 pilots that have flown me at one time or other during my 40 years in public service.

Then came the testimony on product liability, to the effect that we are keeping products from getting onto the shelves in international trade. We find out that the forums there in the EEC are now adopting strict liability standards. In other words, they are following the American provision.

That gets us to the plaintiffs' lawyers. They are the ones in the vanguard, doing the work, maintaining the safety standards and the safe working conditions and the safe public walkways and passageways and buildings and streets in America. It has all been due to their dedication.

They talk about the lawyers. There are few lawyers downtown in product liability. Yet, there are too many lawyers doing the bidding of Japan. Japan has retained 100 firms at a cost of \$113 million. I am saying this because the Senator from Iowa yesterday noted that the Japanese said we have too many lawyers and that that is why we could not compete. Half correct. We have too many American lawyers hired by the Japanese, to the point where you and I cannot put a bill in the Commerce Committee that the front office does not fill up with the bloomin' lawyers. They have thousands of lawyers at a cost of \$113 million where we have only 535 in the people's Congress at a cost of \$52 million. The Japanese are better represented in Washington than the people of America. So there, about lawyers. We know about them.

They are conspiring up in New York right now, while I am talking, on trade to keep up the affirmative action program to dump foreign goods. How did that happen? We had the Marshall Plan. Thank heavens it worked. The Pacific rim went capitalistic, all those countries out there, Japan, Taiwan, Korea, Hong Kong, Thailand, Indonesia. It worked. In the EEC capitalism and democracy are working, but it took our American national productivity, Yankee traders, and geniuses to go over and not only give them the technology, develop the technology and produce the technology, financing those endeavors. They were not bothered by us Senators with all our bills mandating clean air, clean water, unemployment insurance, minimum wage, safe working place, safer machinery, parental notice, plant closing notice, and right on down the list.

They say, "We do not have to worry about those Senators, what regulations they are going to enact. We have a guaranteed profit overseas here and we can dump it back in America. All we have to do is cry, free trade, free trade to the dummy politicians." So they organized the Trilateral Commission. They organized ECAT, the Emergency Committee Against Tariffs. They organized the Foreign Policy Association, and they preen and wax, erudite and holler, "Free trade, free

trade, free trade." And what they are really saying is, "Dump it, dump it, dump it," as long as they can keep the largest richest market in the world open for dumping. Bear in mind that 40 percent of imports are U.S.-generated from U.S.-owned multinationals. So they say, "As long as we can maintain this conspiracy to dump, we will all make a fortune."

They had a witness day before yesterday to the effect that there are 10 million in China in gulags, slave laborers producing textiles. That was testimony before the Foreign Relations Committee.

Do you know what is the most productive competitive industry in America? Milliken last year won the Baldrige Award. According to the Office of Technology Assessment, in its study just reported, the most productive competitive industry in America is textiles. Like the man said years ago, "Fritz, I can compete with any company in Japan; I just cannot compete with the entire country of Japan." All of these countries have their governments on their side. The EEC is organizing and orchestrating their governments for EEC 1992, not to get free trade, but to gird themselves for the trade war in the Pacific Rim. You watch them.

Our American business leadership is not waiting on us. We cannot even get a Department of Commerce representative over there in Brussels. They fired Craig Fields for leading the way in competition in DARPA over in the Pentagon. They know what they are doing. As long as as they can continue to sell that "free trade" baloney, we will continue to go out of business.

Mr. Morita of Sony has stated that one of the big troubles is that America is not producing the products that they want to buy in Japan. That is passing strange. America produces a positive balance of trade vis-a-vis the EEC countries, for downtown Paris where they have all the styles, and downtown Rome and London—all of them modern, developed, industrialized countries that want American products to the tune of a positive balance of trade. But in Japan somehow we do not produce anything their people want.

So we can get away from the diversionary chatter about culture, lawyers, and not producing saleable products, and "get off the golf course." Likewise, don't blame product liability. I do not want a Federal law that preempts product liability, as this particular measure does.

I found, when we started on some of this thing 10 years ago, that the National Transportation Safety Board conspired with the insurance companies and would not give information to the victim's family, but would only give it to the insurance companies. We had to break that racket up. Man, you

have to understand and know from whence you come in this particular debate.

This measure is extraneous to the task at hand of giving blind people access to airlines. We started to do this on the Americans With Disabilities Act. We deferred it because we were having the hearings, we were completing the reports. It was a singular thing, and the administration at that time had not changed their position. Now, however, they have peremptorily issued a rule.

We had the investigations in 1973, investigations in 1977, we had hearings, we put out the bill based on those hearings. But now the FAA, peremptorily, without any hearings or valid finding, they put out the rule against us.

Now they have raised the line-item veto issue. I got a call asking, "How long will you be here this afternoon? If you continue on this, I would like to raise the issue of Social Security after we get through with this, if we could." I did not know we were not going to have any votes. As the Senator from Kansas said, she does not want any vote at all on her own amendment today. We were prepared to vote. Now they want to raise the issue of Social Security. So they filibuster the crime bill, they filibuster the blind access bill, and it is an orchestrated movement to cause a parliamentary crisis and demean the Congress itself. That is what they are trying to do. They are working us into that spot where we will have a crunch, working day and night to get all the appropriations bills. And they will bellyache about the evils of continuing resolutions instead of 13 separate appropriations bills. They will prove their case. We will give them 30 pounds and 30,000 pages of a continuing resolution so the President can hold it up like President Reagan did and say, "Here is the kind of Congress I am having to deal with. I need a Constitution amendment. I need a line-item veto. I need this, I need that." He will say "You all better reelect me. I am protecting you from that bunch of fools and stupes over there who cannot get the work done and who give me something weighing 30 pounds and nobody can read yet they expect it signed by the next morning." And he will prove his own case.

It is very competitive is it not?

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that I be allowed to proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LIEBERMAN pertaining to the introduction of S. 2721 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LIEBERMAN. Mr. President, seeing no one else on the floor at this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, if we are not in morning business I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE REAL ANIMAL WELFARE MOVEMENT

Mr. GRASSLEY. Mr. President, I want to speak on a very current issue that is of major concern to people in agriculture, as well as a variety of other people throughout the Nation. The issue that I speak of is the difference between what constitutes animal rights and what constitutes animal welfare.

While many people believe that animal rights and animal welfare are synonyms, there is a major difference that I hope everybody in this body understands. Animal rights advocates believe that animals have the same rights as humans, a concept called polymorphism. Animal welfarists, on the other hand, emphasize the humane care and ethical treatment of animals, instead of the rights of those animals. The goals may appear similar, but there is little comparison between the two.

This weekend, livestock producers throughout our great Nation will be watching, discussing, and sharing concerns about the animal rights rally that will take place here in this city just 48 hours from now. The response of these livestock producers will range from apathy to disbelief; from concern to outrage. Farmers recognize the seriousness of the accusations and the challenges they face. The threats are initiated by individuals who have been misled or lack a true understanding of modern animal management and production practices. This Senator con-

tends that the modern, progressive, profit-oriented livestock producers of today are also our Nation's most committed and responsible animal welfarists.

Agricultural producers understand the needs of the animals that they raise better than anyone else. As professionals, farmers are required to manage nutrition systems, building climates, waste control, health, and all facets of animal husbandry. A farmer's economic livelihood is directly dependent upon the welfare of the animals under his care. Animals which are abused, or which are unhealthy, do not provide any economic return for the farmer. For this reason, producers must go to great lengths to ensure the proper health and the treatment of the animals under their care.

But a farmer's care of his livestock is not based upon just profits, but a genuine concern for the health and welfare of his animals.

These days it is often easy to be misled. Our citizens who are not involved in animal production probably know too little about this activity, and hence only know what they read or hear. Unfortunately most of this information focuses on specific cases and deals with exceptions rather than standard practice.

It is unfortunate to see these rare instances twisted, distorted, and replayed time and again to fit the needs of special interest groups bent on pursuing an agenda unrelated to the care of animals. Rarely do these groups acknowledge that we live in an imperfect world where exceptions to the rule exist. Incidents of abuse or mistreatment are exceptions, and are not condoned or tolerated by the vast, vast majority of livestock producers.

Some groups, however, would lead us to believe abuse and mistreatment are very common occurrences. This simply is not true. But, unfortunately, extremists condemn the entire agricultural industry for the acts of a few.

Recently there have been a number of break-in's, threats, and acts of vandalism committed against research facilities, farms, and other agricultural-related organizations. While many animal rights groups deny complicity in these events, they seldom are willing to condemn these acts of violence. So, is it fair for us to label all animal rights advocates as criminals based upon the acts of a few extremists? Well, obviously the answer is "no." It could not be any other way.

But, in the same vein, it is not fair to condemn the livestock industry and farmers in general for the unethical acts of the few. Livestock producers of today operate efficient systems of production. They provide balanced livestock feed rations that meet the dietary needs of these animals. They regulate temperature, humidity, air flow,

and odors by maintaining proper ventilating systems. They maintain the health of their animals through the use of safe feed additives and properly administered vaccines.

Producers manage animal wastes to limit disease potential until the time that this waste can be properly disposed of. Finally and most importantly, our farmers provide a food product that helps to meet the demands of a hungry world.

Let us not be disillusioned by the emotional outcries of those who are not familiar with modern livestock management and production techniques. Rather, I hope each of us will commend and congratulate the livestock producers of America on a job well done.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HEINZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

EXPORT OF TECHNOLOGY

Mr. HEINZ. Mr. President, as some of our colleagues may have noticed if they read the front of the business section of the Washington Post today, there has been a result of the Cocom high-level meeting in Paris that marks a tremendously interesting, valuable and farsighted turning point in the way we control our export of technology to Eastern Europe.

I can think of nothing more satisfying than to take the Senate floor today to announce what I believe to be is a great success for U.S. national security, as well as an enlightenment of our export control policy that will pay great dividends, not only to the beneficiaries of it, the new democracies of the countries of Eastern Europe, but the exporting community as well.

I would like to take a few minutes today to relate a little of the history of how that decision has been arrived at, the force that was played out in it and, most important, the key role that I believe Congress, and particularly this body, the Senate, has played in that success.

Specifically for the record, yesterday, Cocom, that is the 17-nation group that coordinates export control policies of NATO, Japan, and Australia, announced that it had agreed to a significant reduction of controls to the emerging democracies of Central and Eastern Europe. Those include what is currently the German Democratic Republic, Poland, Hungary, and Czechoslovakia. Each of those four countries

stand to benefit immediately from this historic agreement.

There is going to be, as a result, a very substantial liberalization of our controls over access to and the acquisition of technology. It will be particularly evident in critical technologies like machine tools, computers, and telecommunications. In the latter case, as a for instance, we will now permit the export of exactly the kind of sophisticated common channel switching equipment and other related technology that will permit these countries to move to a telephone system, important and basic as that is, out of what is in some of these countries 19th-century technologies, not only into the latter half of the 20th century, but even on the threshold of the 21st-century technology. These kinds of technology, in other words, are the most basic requirement for any kind of modern economy.

With respect to computers, we are now going to be able to export to Eastern Europe at a level substantially higher than what has been permitted to go to the People's Republic of China. That is as it should be.

For the last year, ever since these countries became democracies, we have been restricting the ability of our manufacturers to export technology for these countries to acquire technology to a level way below that of what we permitted all these years to the People's Republic of China, both before and after the Tiananmen massacre.

So this agreement allows the new democracies of Eastern and Central Europe to be treated not just the same as but, in virtually every case, better than we have been treating the People's Republic of China, as I say, both before and after Tiananmen Square.

The agreement also affirms what so many of us in the Senate have been saying since the political revolutions of 1989 rocked Eastern Europe, and that is, the cold war in these countries is over, and U.S. policies should reflect that fact.

I commend President Bush. I believe he was deeply and personally involved in this decision. I believe he had a lot of heads to crack in his administration—in fact, I know the did—in order to get the result, to stake out our position and to achieve our position in Cocom. So I salute him, not only for the vision he assuredly imposed on our negotiators and negotiations, but for the considerable amount of courage that he has demonstrated in taking these steps.

Mr. President, I wish to say a word about what this liberalization is going to do and how critical it will be in modernizing these Eastern European economies. That is of great interest to a number of us, because, Mr. President, as I suspect the Chair knows, because I invited him to come, I recently

led a delegation of our colleagues to Eastern Europe. It included three members of the Banking Committee, Senator GARN, Senator BOND, and myself, and Senator CHAFEE, with whom I am privileged to serve on the Trade Subcommittee of the Finance Committee. We toured the four countries I mentioned earlier: GDR, Czechoslovakia, Poland, and Hungary.

The first thing we were impressed with was that these countries knew how to do a good deal more than pronounce the word "democracy." They not only intended to live with its pronouncement but to get rid of the trappings of the past, and we were impressed by the very rapid movement in each of these countries toward adopting what we would call Western values.

In a way, it is not surprising, because these countries never wanted to be Communist. They never wanted to be taken over in the aftermath of World War II. Czechoslovakia, Poland, Hungary, all these were revolutions, counter-revolutions, if you will, against communism, in Poland in 1956, in Czechoslovakia in 1968, only to be repressed, and therefore this has always been fertile ground for such Western values as freedom of speech, freedom of worship, freedom of religion, free elections, free enterprise. We were convinced, in sum, that this was not only fertile ground but the changes that have come about are, indeed, irreversible. These people have not found their roots. They have returned to their roots, and nobody is going to plow them up again.

But the other very profound impression we had was that these economies, as well as political movements, are, as economic entities, still very fragile. These new governments are going to face a variety of economic crises. It is not easy to move from central planning to no planning.

It is not easy to go from state ownership of every little grocery store and restaurant and, to the extent they have them, a little service business, dry cleaning establishment, all owned by the government, to privatization. It is not immediately apparent how you are going to get people who have not been able to buy very much to create capital markets with their savings so money will be available to privatize enterprises. Certainly no one is going to privatize these enterprises, just give them away.

So there is a considerable burden that these countries will face to achieve economic progress, achieve reorganization of their governments, and the bottom line is that there is a great deal that we in the West can do to help.

In order, what these countries first and foremost need is knowhow. We call it technical assistance. Second, they are going to need capital, not nec-

essarily ours, but they are going to need resources, some of it as a matter of marshaling what they already have in their countries. Third, they are going to need the up-to-date technology to effectively and efficiently employ the knowhow on the one hand and the capital on the other. If all they have is knowhow and capital, they will not succeed, because their telephone system will not work, their banking system will not be able to electronically transfer deposits from one account to another.

One story I might relate about Hungary is that the Hungarians made a special point of emphasizing that of course it was Alexander Graham Bell who as an American invented the telephone, but it happened to be a Hungarian living in Hungary who invented the telephone exchange without which we would all still be talking on individual lines to individual people; we would have one line running from our office to our house and no place else. The irony is that while Hungary did develop the telephone switching device, it looks like they are all using the same ones they invented back in 1890 because they have not had access to anything more modern for the last 100 years.

We in Congress, Mr. President, have started a process to help. That is what the seed legislation of last year was all about. We are going to consider a "seed II" bill shortly. But as I say, the most useful form of Western assistance is going to come from what our private sector can offer in the way of assistance, in the way of investment, and in the way of technology. It is going to be in the format of direct investment and joint ventures. And so I want to emphasize that that investment, if it is going to be productive, and whether it comes from this country or other countries or within those countries inevitably depends on our permitting—our, the West, our, the United States, our, Cocom—access to the sophisticated technology needed; that is an absolute prerequisite to modernizing these creaky economies. And so yesterday's decision at Cocom opens the door to that opportunity.

To my mind, the deepest meaning of the Cocom agreement is that the so-called and very elusive level playing field has been achieved. By that, Mr. President, what I mean is that American firms, firms in our country, particularly those with the most advanced technologies, the ones I mentioned, telecommunications, computers, machine tools, at long last now will be able to compete without the bureaucracy, without the weight of a tremendous amount of unilateral restrictions imposed upon our Export Administration Act that had inhibited not only the acquisition of technology by Eastern Europeans but, most importantly,

at least to my view, our firms' ability to compete successfully in seeking markets for their products through at times very much desirable direct investment.

It was almost a year ago today that I wrote to both Secretary Baker at the Department of State and Secretary Mosbacher at Commerce urging that the administration adopt the position that, indeed, we did adopt within the last month. When we returned from Eastern Europe 6 weeks ago, I wrote the President a personal note urging both the administration and the President to really grasp, to understand there was an unprecedented opportunity for this country to lead and to assist in the permanent economic transformation of the emergent democracies of Eastern Europe through this access to Western technology and direct investment to promote free market mechanisms.

It is my belief that private direct investment and access to the advanced technologies that we are so often decreasingly the leader in is intimately linked, and that the agreement in Cocom yesterday is a loud affirmation of that relationship.

And in a letter that Senators GARN, CHAFEE, BOND, SANFORD, and I sent to the President, we urged precisely the kind of liberalization that has been agreed to.

I ask unanimous consent that the text of our letter dated May 24 be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, May 24, 1990.

THE PRESIDENT,
The White House, Washington, DC.

DEAR MR. PRESIDENT: On May 2, you announced several important steps decontrolling exports of goods and technology to Eastern Europe and the Soviet Union. We are writing to urge you to take several additional steps as well.

Recently, a Senate delegation, including several of us, visited the German Democratic Republic of Poland, Hungary, and Czechoslovakia and could not help but note the prevalence of the word "democracy" in the region. The fledgling political parties included in their political platforms such Western values and principles as freedoms of speech, thought, worship, free elections, and the free enterprise system. The delegation returned convinced of the irreversibility of political and economic change in the region, as one country after another has shed its communist system in favor of a Western democratic model.

While these remarkable changes were made possible by Mikhail Gorbachev's new policies, they have not been matched by parallel change in the Soviet Union. For all that it means in concept, perestroika has so far brought little gain to Soviet citizens. Analyses of the Soviet economy show continued deterioration and enormous difficulties in climbing out of the hole created by seventy years of central planning and stifled individual initiative.

At the same time, Gorbachev's own political position remains precarious, and his economy hovers near collapse. A period of prolonged uncertainty and instability cannot be ruled out, and we clearly must continue to maintain our defense capability in light of that possibility.

We are also acutely aware that the fledgling democracies in Eastern Europe are on tenuous footing because of their difficult economic circumstances and are in danger of retreating from democratic institutions if economic reform fails. That is why it is particularly important to act quickly and decisively to ensure the success of the twin pillars of political democracy and economic pluralism.

Poland, Hungary, and Czechoslovakia all identified access to Western technology as a key element of their economic reform programs. We were therefore discouraged to learn from both our embassies and the many government and political leaders we met that U.S. export controls are a major impediment to U.S. firms wishing to do business in Eastern Europe. The Poles, Hungarians, Czechs and Slovaks all expressed their concern that we are conceding Eastern European markets to Germany in particular and the EC in general. Clearly, this outcome by default was not, they told us, either their preference or in their national interest. Nor is it in our economic or political interest.

This message has been reinforced since our return. U.S. firms have told us of the many Eastern European orders placed during a major international conference in Zurich for which U.S. firms could not effectively compete because they all contained controlled technologies, even though some of those technologies are widely available from non-COCOM sources. Despite assertions to the contrary, American technology is still preferred and competitive in the world market. Unfortunately, it is not consistently available, thanks to our control policy.

Right now we have an unprecedented opportunity to assist in the economic transformation of these countries by using Western technology and private direct investment to promote free market mechanisms. This will be a key to the success of political democracy in Eastern Europe. Your announcement on export decontrol is an important first step in that direction, but we are concerned that it may go too far with respect to the Soviet Union and not far enough with respect to Eastern Europe.

With respect to the latter, the Eastern European countries have tried to address U.S. national security concerns by adopting important confidence building measures to prevent diversion of critical technologies to the Soviet Union.

1. Poland, Hungary, and Czechoslovakia have indicated a willingness to negotiate trade, investment, and legal protection regimes to facilitate U.S. direct investments, including joint ventures. While of particular interest to U.S. investors, such protections are also an important part of any framework that safeguards technology.

2. Hungary and Czechoslovakia have negotiated the withdrawal of Soviet troops by June 30, 1991.

3. Poland, Hungary, and Czechoslovakia have announced their intention to lower their defense budgets, reduce troops strengths, and phase out their participation in the Council for Mutual Economic Assistance (Comecon).

4. Some countries in the region made clear to us their intentions to remove Soviet intelligence agents within their borders.

5. Poland, Hungary, and Czechoslovakia have made clear their willingness to negotiate technology security arrangements on our terms and to enact legislation to make their obligations statutory and to provide penalties for violators of U.S. laws as well as their own.

Your proposal of May 2 seeks to raise the threshold of permitted technology transfer for both the Soviet Union and Eastern Europe. With respect to the former, we believe that the absence of confidence building measures like those listed above warrants much greater differentiation than the modest level you suggest. With respect to the latter, we believe that the above steps and the absence of national security threat from these countries justifies a higher level of decontrol. We would recommend the following approach for Eastern European nations, with no change in current practice with respect to the Soviet Union.

1. Shift Poland, Hungary, Czechoslovakia, and the German Democratic Republic to Country Group T (Free World Countries) in the Commerce Department's regulations.

2. Following the negotiation of effective technology safeguards, decontrol to the China Greenline for Poland, Hungary, Czechoslovakia, and the GDR.

3. Extend favorable consideration treatment, i.e., presumption of approval by COCOM, for exports to Poland, Hungary, Czechoslovakia, and the GDR of items above the China Greenline.

4. Direct the National Security Council to fulfill the U.S. commitment made in January 1988, to develop a new "Core List"—a significantly streamlined U.S. control list that will serve as the model for negotiating a similar streamlining of the COCOM control list.

Your proposal of May 2 addresses streamlining but falls short with respect to decontrol to the China Greenline and favorable consideration above that level for the countries of Eastern Europe. We also fear that this limited opening to the new democracies will make achieving a consensus in COCOM more difficult and will retard our exporters in their effort to compete with their Western European counterparts. We recognize that your proposal may be only a first step, but we urge you to seize the opportunity to go further. Such steps are as much in our interest as they are in Eastern Europe's.

Sincerely,

JAKE GARN.
JOHN CHAFEE.
JOHN HEINZ.
CHRISTOPHER S. BOND.
TERRY SANFORD.

Mr. HEINZ. That is why I say, Mr. President, I urge our colleagues to take a look at our letter. That is why I say that the Cocom agreement reflects the wisdom of those in the Congress, and particularly in the Senate, who disagree with what at least in some parts of the administration was their early impulse to do two things. Or I should maybe say to not do much of anything, because there were a lot of people in the administration—they have been there for quite some time—who first took the position that nothing should change, or if it should change, not very much; second, that

coming from another corridor, whatever we would do in Eastern Europe, we must also do equally for the Soviet Union, irrespective of what is going on in the Soviet Union.

I am pleased to note that the principle of differentiation, of treating the democracies who have bitten the bullet differently from the Soviet Union—who is reluctant to come to grips with all the changes they would have to make to be like Eastern Europe—was adopted, and clearly adopted both by the administration and by Cocom.

The Soviet Union is going to benefit by this agreement. They are going to have access to more technology than they otherwise would have. That is because there is going to be decontrol of a number of items in technologies. So once an item is decontrolled, it is gone from anybody's ability to control it, and about one-third of the categories on the existing control list are going to be decontrolled by the end of this summer. There will be a smaller or control list that will be finished by the end of this year, which will represent what we really want to hold and hang onto.

But between those two groups, there will still be many very sensitive items controlled by Cocom, and thereby attesting, I might add, to the need for the continued existence of Cocom. These sensitive technologies—and they are in such fields as supercomputers, laser technologies, advanced telecommunications, navigation, and avionic systems, marine technology, propulsion systems, to name only a few, should not be made available to the Soviet Union under the agreement reached yesterday in Paris; and not only does the Cocom agreement of yesterday contemplate containing these technologies—away from the Soviets—but as far as this Senator is concerned, they will continue to do so as long as some of us in this and the other body remain vigilant, and I trust and hope we will.

Mr. President, in conclusion, I will be the first to grant the remarkable changes in Eastern Europe that I have discussed today have been made possible in no small measure by Gorbachev's measures and policies, but equally they have not been matched by the same kind of progress in the Soviet Union. So for all it means in concept, perestroika has so far brought little gain or little real change to the citizens within the Soviet Union, particularly where the economy of that country is concerned.

So I view this decision of yesterday as a historic moment, a historic moment in the tale of our U.S. national security policy, and in particular our export control system. The 17 nations that are members of Cocom deserve to be saluted for their very good work, and especially I wish to single

out President Bush for his strong and farsighted leadership in taking this very bold position for advocating it in Cocom, and most importantly for achieving it as the result.

THE OMNIBUS CRIME BILL

Mr. HEINZ. Mr. President, the crime bill has been before this body since before the recess at the end of May.

We have had two cloture votes on the crime bill. I have, together with a sufficient number of my colleagues, voted against the imposition of cloture. I will continue to vote against the imposition of cloture until at least a reasonable number of crime-related amendments, that a number of us feel are urgent and relevant, are allowed to be disposed of under any kind of reasonable rule by the majority vote of our colleagues in the Senate.

For the better part of 3 weeks, the Senator from Pennsylvania has been trying to offer to this bill an amendment, on behalf of American taxpayers, to get tough with those people who have looted and stolen from savings and loan institutions.

The savings and loan crisis has not only blown a hole in the Federal Deposit Insurance System, but also has blown a multibillion-dollar hole in the pockets of American taxpayers. It is this Senator's view that the legislation we passed last year, FIRREA, only went halfway in terms of getting money back from the people who did the looting and stealing, namely the officers, directors, and others in charge of savings and loans.

According to the General Accounting Office, the cost of this financial disaster could reach the astronomical sum of \$500 billion. That makes it the largest financial catastrophe in the history of this country, and probably of the world.

The American taxpayers, who have to ultimately stand behind the Federal Deposit Insurance System to the tune of up to \$500 billion—thousands of dollars for every man, woman, and child in this country—are rightfully asking what is being done to get the money back and to punish those who caused this financial catastrophe?

The only honest response this Senator can give them is: Not nearly enough.

During consideration of FIRREA, which was written in the Banking Committee, on which the Senator now presiding and I both serve, I proposed four measures to ensure that the Resolution Trust Corporation and the Department of Justice received the tools they needed to prosecute and recover funds from the wrongdoers responsible for the S&L debacle.

First, I wanted to give the Resolution Trust Corporation a priority, on behalf of the taxpayer to get money back from the officers, directors, and

others who caused losses at federally insured savings and loans.

Second, so that justice was not only done, but done swiftly, I proposed a fast-track litigation schedule to put cases for taxpayer recovery of these funds through the courts as fast as possible.

Third, I wanted to prevent those who caused losses at S&L's from getting protection in the bankruptcy courts; and sheltering a home, or a yacht.

Fourth, I wanted to enable prosecutors to bring criminal actions for bank fraud under the toughest law we have on our books, RICO, the Racketeering Influenced and Corrupt Organizations Act.

All four of those provisions received the overwhelming support of the Senate. They were included in the Senate version of FIRREA, S. 774. But I have to tell you, Mr. President, unfortunately, although we passed them, and we worked very hard for their adoption in the conference, they were rejected by the House of Representatives. Hence, they did not become law.

I will not go into, today, the politics of their rejection. In some cases it was a case of "NIH," not invented here.

In other cases it was simple, old-fashioned special-interest, garden variety politics. Some members of the private bar had decided it would be bad for business if some of these amendments were adopted. In other cases people said, "Well, we are in the midst of reforming RICO, we do not want to apply this law to anybody else at this time. Just give us a little time to work this out."

Well, in each of those instances, Mr. President, I have to tell you that I was not convinced. Time has shown that each of those reasons was insufficient. Here we are, and it is June, and there has been no movement on any RICO reform. It seems to me that the argument against using RICO to prosecute bank fraud is a hollow argument. We should make the decision to protect the American taxpayer and do all in our power to get the money back.

Let me say a word or two about these amendments. First, claims to recover funds by the Resolution Trust Corporation should go to the head of the line. The RTC and FDIC are currently conducting investigations of claims against officers, directors, attorneys, accountants, and others who are responsible for losses at more than 1,300 federally insured institutions. Those organizations have filed more than 350 such lawsuits for damages—in some cases up to as much as \$1 billion.

The first measure in my package of amendments would put the Resolution Trust Corporation's claims to recover funds on behalf of the American taxpayer at the head of the line, in front

of claims by shareholders and other creditors. It is my view, that if I have to choose between taxpayers, and shareholders—who elect the boards of directors that milk these institutions or bleed them dry—it is the taxpayer that ought to be protected, not the shareholder. When it comes to digging into the pockets of those responsible for the S&L crisis, the taxpayer should have the right to reach in first.

When the Resolution Trust Corporation takes over an insolvent S&L, it will sue to recover losses from officers, directors, and others. But, today, shareholders and other creditors can race to the courthouse before the Resolution Trust Corporation gets there. They get a judgment against the crooks, and they wring their pockets dry; and when the RTC shows up, all that is left is an empty bag. If, under the best of circumstances, the race to the courthouse is a tie, the shareholders' claims will compete with the RTC for the limited amount of money that can be recovered. What this amendment does is to ensure that the taxpayers always win the race.

Let me say a word about the fast-track litigation amendment. As some in this Chamber may be well aware, it can take more than 3 years for the FDIC and the Resolution Trust Corporation to pursue its claims to recover funds against officers, directors, and others responsible for losses at insolvent institutions. This provision would direct the courts to give these cases expedited consideration and a priority on their dockets, consistent with the interest of justice. Not only are the taxpayers entitled to get their money back, but the principle here is that we should help get it back for them, as fast as possible.

The third provision, regarding bankruptcy, comes from our experience that the Federal Bankruptcy Code can be used as a shield to protect those who are responsible for losses at insolvent institutions. The RTC can spend years to get a judgment to recover funds, only to have that judgment discharged, that is, nullified, in bankruptcy. What this provision would do is to ensure that the officers and directors who were liable for these losses are not going to be protected by the bankruptcy court.

So if they have a \$1 million home in which they are living comfortably, which would normally be protected by the bankruptcy laws, the result is that their home is going to be subject to judgment, and they may very well lose that million dollar investment, if they were guilty of negligence or fraud. The Bankruptcy Code's general policy is to forgive and forget, but the taxpayers who must pay a multibillion-dollar price tag for the S&L scandal should not have to forgive or forget.

Mr. President, the last provision in this package that I will discuss today

is unleashing the RICO Act, the Racketeer-Influenced and Corrupt Organizations Act, against all forms of bank fraud. There have been some 1,200 referrals to the Justice Department with respect to alleged criminal activity at RTC-controlled thrifts, and many more expected, because the investigations of insolvent thrifts are just really beginning.

The RTC recently estimated about 60 percent of the thrifts in its case load have indeed been victimized by serious criminal activity. RICO is the most potent and feared weapon that we have in our Federal arsenal against crime.

Under current law there are nine Federal crimes involving bank fraud, and only one of these today could be prosecuted under RICO. This provision would enable Federal prosecutors to pursue all types of bank fraud under RICO. I do understand that proponents of RICO reform—and that is civil RICO reform—do not want to expand RICO, until that issue is resolved.

But if we wait, we are denying Federal prosecutors a potent weapon against fraud. The American taxpayer should not be put on hold.

Let me return to the reason for these remarks; namely, the crime bill.

Mr. President, we want to pass a crime bill. But if stealing hundreds of billions of dollars from American taxpayers is not a crime, I do not know what is. It is simply this Senator's view—and I am pleased that a number of our colleagues on both sides of the aisle feel this way—that the crime bill is an opportune time to demonstrate what we intend to do to those who have robbed and bled federally insured institutions dry. This Senator believes that it is vital that we have an opportunity to consider this kind of amendment. I intend to offer this amendment, or one substantially like it, and I hope and trust we will have an opportunity to do so. Otherwise I fear it will be very difficult to ever get a crime bill that does the job.

Mr. President, I thank my colleagues for their attention and I yield the floor.

The PRESIDING OFFICER. The majority leader.

AIR TRAVEL RIGHTS FOR BLIND INDIVIDUALS ACT

The Senate continued with the consideration of the bill.

CLOTURE MOTION

Mr. MITCHELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion, having been presented under rule XXII, the Chair, without objection, directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 341, a bill to amend the Federal Aviation Act of 1958 to prohibit discrimination against blind individuals in air travel.

E.F. Hollings, Brock Adams, Robert C. Byrd, John D. Rockefeller, Tom Daschle, Alan Cranston, Richard Bryan, George J. Mitchell, Barbara A. Mikulski, Harry Reid, John Breaux, David Boren, Patrick Leahy, Joe Lieberman, Albert Gore, Jr., Edward M. Kennedy.

CLOTURE MOTION VOTE—S. 341

Mr. MITCHELL. Mr. President, I ask unanimous consent that the cloture vote on S. 341, blind air passengers bill, occur at 2:15 p.m. on the Tuesday, June 12; and that the mandatory live quorum be waived; and that if cloture is invoked the previous consent agreement on the Amtrak veto message remain in force.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there be a period for morning business, with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF PAMELA TALKIN TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations, Calendar No. 811, Pamela Talkin, to be a member of the Federal Labor Relations Authority.

I further ask unanimous consent that the nominee be confirmed; that any statements appear in the RECORD as if read; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

FEDERAL LABOR RELATIONS AUTHORITY

Pamela Talkin, of New York, to be a member of the Federal Labor Relations Authority.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Kalbaugh, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Banking, Housing, and Urban Affairs.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:39 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate.

H.J. Res. 516. Joint resolution to designate the week beginning June 10, 1990, as "National Scleroderma Awareness Week."

MEASURES REFERRED

The following joint resolution was read the first and second times by unanimous consent, and referred as indicated:

H.J. Res. 516. Joint resolution to designate the week beginning June 10, 1990, as "National Scleroderma Awareness Week"; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2372. An act to provide jurisdiction and procedures for claims for compassionate payments for injuries due to exposure to radiation from nuclear testing.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2690. An act to amend title 17, United States Code, to provide certain rights of attribution and integrity to authors of works of visual art.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources, with an amendment in the nature of a substitute:

S. 2104. A bill to amend the Civil Rights Act of 1964 to restore and strengthen civil rights laws that ban discrimination in employment, and for other purposes (Rept. No. 101-315).

By Mr. RIEGLE, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 566. A bill to authorize a new corporation to support State and local strategies for achieving more affordable housing, to increase homeownership, and for other purposes (Rept. No. 101-316).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with amendments:

S. 2014. A bill to direct the Secretary of Agriculture and the Secretary of the Interior to provide interpretation and visitor education regarding the rich cultural heritage of the Chama River Gateway Region of northern New Mexico (Rept. No. 101-317).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2059. A bill to establish the Weir Farm National Historic Site in the State of Connecticut (Rept. No. 101-318).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 2180. A bill to remove certain prohibitions to the licensing of a vessel for employment in the coastwise trade of the United States for the vessel *Arctic Sounder* (Rept. No. 101-319).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with amendments:

S. 2254. A bill to establish the Pecos National Historical Park in the State of New Mexico, and for other purposes (Rept. No. 101-320).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2286. A bill to require the Secretary of Transportation to lead and coordinate Federal efforts in the development of magnetic levitation transportation technology and foster implementation of a magnetic levitation transportation system (Rept. No. 101-321).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute and an amendment to the title:

S. 2404. A bill to permit issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel the *Lady Rose Anne* (Rept. No. 101-322).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, without amendment:

S. 2430. A bill to amend the Zuni-Cibola National Historical Park Establishment Act of 1988 to enlarge the time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park (Rept. No. 101-323).

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2498. A bill to authorize a certificate of documentation for the vessel *Sea Devil* (Rept. No. 101-324).

S. 2623. A bill to authorize issuance of a certificate of documentation for employment in the coastwise trade of the United

States, Great Lakes trade, and fisheries for the vessel "Rose" (Rept. No. 101-325).

S. 2656. A bill to authorize a certificate of documentation for the vessel *Pumpkin* (Rept. No. 101-326).

S. 2660. A bill to authorize a certificate of documentation for the vessel *Bounty* (Rept. No. 101-327).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 2844. A bill to improve the ability of the Secretary of the Interior to properly manage certain resources of the National Park System (Rept. No. 101-328).

By Mr. PELL, from the Committee on Foreign Relations, with an amendment and with a preamble:

S. Res. 293. A resolution concerning Polish debt reduction.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SYMMS (for himself and Mr. McCLURE):

S. 2717. A bill to authorize the construction of a monument in the District of Columbia to honor Thomas Paine, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HEFLIN (for himself and Mr. SHELLEY):

S. 2718. A bill to provide for the use of assets in black lung benefit trusts for health care benefits for retired miners, and for other purposes; to the Committee on Finance.

By Mr. BOSCHWITZ (for himself, Mr. GORTON, Mr. GRASSLEY, and Mr. COATS):

S. 2719. A bill to provide for Housing Opportunity Zones; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SASSER (for himself, Mr. KENNEDY, Mr. DODD, Mr. SIMON, Mr. KERRY, Mr. RIEGLE, Mr. DASCHLE, Mr. ROCKEFELLER, and Mr. BREAU):

S. 2720. A bill to encourage employee ownership of, and participation in, companies in the United States; to the Committee on Labor and Human Resources.

By Mr. LIEBERMAN:

S. 2721. A bill to amend title 18 of the United States Code to give the Secret Service jurisdiction to assist in investigating certain financial crimes arising from the savings and loan crisis; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WIRTH (for himself, Mr. RIEGLE, Mr. DIXON, Mr. GRAHAM, Mr. SASSER, Mr. LEVIN, and Mr. LIEBERMAN):

S. Res. 298. A resolution to express the sense of the Senate that efforts to investigate and prosecute financial institution crimes should be fully funded; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MITCHELL (for himself, Mr. DOLE, Mr. DODD, and Mr. DURENBERGER):

S. Res. 299. A resolution to express the gratitude and admiration of the Senate to Eunice Kennedy Shriver for her contribution and achievement as Founder and Chairman of Special Olympics International; considered and agreed to.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SYMMS (for himself and Mr. McCURE):

S. 2717. A bill to authorize the construction of a monument in the District of Columbia to honor Thomas Paine, and for other purposes; to the Committee on Energy and Natural Resources.

THOMAS PAINE MONUMENT

Mr. SYMMS. Mr. President, I want to pay homage and tribute to a great man in our Nation's history, Thomas Paine. Today marks the anniversary of the death of Thomas Paine who stands in history as a revolutionary soldier, political pamphleteer, agitator, and deist author of the "Age of Reason." I want to see a monument to Thomas Paine erected here in our Nation's Capital. Thomas Paine is undoubtedly one of the greatest men in our Nation's history and I think it is a shame there has not been a monument dedicated to this great American.

I intend to introduce a bill today sponsored by myself, and Senator McCURE—and I welcome cosponsorship from other Members of the Senate—which would authorize construction of a monument to honor Thomas Paine in the District of Columbia.

He was born in Thetford, England, January 29, 1737. His father, Joseph Paine, was a poor Quaker corset maker who married an Anglican attorney's daughter. This was Frances, Thomas' mother. Thomas Paine was able to attend grammar school until he turned 13, when a lack of finances made it necessary for him to pursue a vocational trade. At the age of 19 he left home to serve as a privateer on the sailing ship *King of Prussia*.

Paine's accomplishments throughout his life are even more amazing because his formal education never went beyond the basics, in fact, the truth is that he never learned to write faultlessly grammatical English.

Thomas was a religious man. He heard a sermon on the redemption when he was 8 years old, which he claimed encouraged his antiestablishment attitudes later in his life. Paine was probably most heavily influenced by his view of aristocracy and the poverty of his youth. His upbringing was one of harsh poverty and, yet, it was probably this same upbringing that prepared him for the achievements and contributions he made to the history of the United States of America.

While still living in England, Paine was a corset maker, exciseman—a British officer who collected taxes and enforced tax laws, a schoolteacher, tobaccoist, and grocer. He was married twice but remained childless throughout life. His first wife, Mary, died almost 1 year after they had been married. His second wife, Elizabeth, separated from him after 3 years of marriage.

Later in his life, Paine's adversaries would unjustly try to discredit him with his failed second marriage. Paine's job as an exciseman never did agree with him. He was fired twice as a tax collector, and the second time was one of the first times Paine is seen as an agitator and revolutionary author.

He wrote a brief for his fellow excisemen called "The Case of the Officers of Excise." By writing this, Thomas Paine was acting as a sort of labor representative in an effort to get the British Government to raise their wages. However, all this yielded for Thomas Paine was his unemployment.

During his stint as an exciseman, Paine had met and befriended Benjamin Franklin in England. After his second firing as an exciseman he left for Philadelphia with letters of recommendation from Franklin. Franklin called him an "ingenious, worthy young man."

Even though poverty had forced him to leave school at a young age, Paine made a point of becoming as self-educated as he could be. He spent whatever spare money and time he had on books, lectures, and scientific apparatus. He achieved a knowledge of current day events and sciences strictly through his own desire, hard work, and discipline. It was this learning that he acquired on his own, which showed him the foibles and shortcomings of society around him.

When Thomas Paine came to Philadelphia on the 30th of November 1774 he became what he would go down as in history, a journalist. He started out by writing a broad range of articles for a publication called *Pennsylvania Magazine*. During this time, Paine was also a pioneer in the movement for the abolition of slavery. However, it was to be the famous writing, "Common Sense" which notarizes Paine as an important cog in the machinery of the American revolution.

"Common Sense" stands as one of the great writings of all time. It was first published in Philadelphia on January 10, 1776, as an anonymous pamphlet of 47 pages. It stresses that the people should immediately declare their independence, not as a solely symbolic or token measure, but as America fulfilling her moral obligation to the rest of the world.

Paine pointed out that the colonies must fall away eventually, and that in nature, a satellite is never larger than its primary planet; that a continent

could not remain tied to an island. Paine urged that the colonies should free themselves immediately from the vicious monarchy they were under. He explained that if they did it while their society was young, uncorrupt, natural, and democratic they could alter human destiny by their example. How correct he was.

With these words Paine was the first publicist to discover America's mission. His political ideology contained both the beliefs of Jefferson and a knowledge of the need for a strong Federal union. Paine realized the dangers of an excess of State sovereignty and particularism. He emphasized these centralizing doctrines in "Common Sense" and a later pamphlet "Public Good." Though Benjamin Franklin and other great leaders of the time were close advisers to Paine, "Common Sense" was Paine's unique creation. It had incredible success for its time, with 500,000 copies selling in all. As he so often did, Paine gave most of the money he earned to the cause he was championing.

As time went on Paine became more famous for his writings in the colonies. After writing for a short while in the *Pennsylvania Journal*, he enlisted in the Army just as it was retreating across New Jersey. In December 1776, the enlistments of the Continental Army were expiring. The soldiers had known only retreat. The British were on the east side of the Delaware within striking distance of Philadelphia. And Paine wrote the first "Crisis" paper which the officers read to the soldiers. The soldiers did not leave their homes. The words galvanized them. They crossed the Delaware with Washington and inflicted an important defeat on the British and Hessians in New Jersey.

Mr. President, it is a significant fact that Thomas Paine, not only as a soldier, but as a publicist and writer, inspired the turnaround in that great victory that was so important to General Washington at that time.

I would like to quote Thomas Paine. Please try to hear past the leveling and trivializing effects of time and repetition to what would have sounded fresh 200 years ago.

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands it now, deserves the love and thanks of men and women. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly; it is dearness only that gives everything its value.

Mr. President, those words inspired the soldiers of the Continental Army, kept them from deserting General Washington and later helped carry them on to victory.

Throughout the war Paine published 11 other additions to the "Crisis." The entire work shows Paine at his best as a political journalist and force behind the American revolutionary effort.

In April 1777, Thomas Paine was appointed by Congress as secretary to its Committee on Foreign Affairs. Though he served his position in Government diligently and with honor, Paine never lost his idealistic devotion to the spirit of a revolutionary cause.

In 1779, Paine was given an appointment as clerk of the Pennsylvania Assembly. He continued writing his "Crisis" articles and began a fund, out of his own meager salary, for the relief of Washington's army. In 1781 Thomas Paine accompanied John Laurens to Paris where they helped convince Louis XVI to provide the arms and money which paid for the victorious Franco-American Yorktown campaign. And, the success of Paine and Laurens, in a very real sense, sealed not only the fate of the Americans but also of Louis and Marie Antoinette.

After the war, the State of New York gave Paine a farm in New Rochelle where the Paine Association still maintains his farmhouse.

Paine published again in 1786 with "Dissertations on Government, the Affairs of the Bank, and Paper Money" in which he condemned paper money as legal tender.

In 1787 Paine went to England and saw one of his inventions, an iron bridge, built. While Paine was in England, the Bastille fell. Four rural French districts offered Paine seats in the Revolutionary National Convention. He had not sought the honor. It is remarkable because it means that his works in defense of freedom had traveled across the Atlantic, been translated into French, been found so compelling, not just by those who might be educated and live in the city, but by people in the rural districts, that they chose him to represent them. Of the four offered seats, he chose to accept the seat for the Pas de Calais district. On October 16, 1789, Paine wrote to Washington and said, "A share in two revolutions is living to some purpose."

In the spring of 1791, Paine published the first part of "The Rights of Man," which was a response to Edmund Burke's "Reflections on the French Revolution." Burke attacked the revolution, Paine defended it. But more importantly, in the second part of "The Rights of Man," Paine began to move from argument concerning the overthrow of oppressors to the ways in which to help the oppressed. Part 5 of the second book is actually a social welfare blueprint, well before its time. It is a remarkable document.

In the "Rights of Man" Paine says,

Government exists to guarantee to the individual that portion of his natural rights of which unaided he could not ensure himself. These rights, with respect to which all men are equal, are liberty, property, security, and resistance to oppression. Only a republican form of government can be trusted to maintain these rights; and the republic must have a written constitution, including a bill of rights; manhood suffrage, executive orders chosen for short terms and subjected to rotation in office, a judiciary not beyond ultimate control by the people, a legislative body popularly elected at regular intervals, and a citizenry undivided by artificial distinctions of birth and rank, by religious intolerance, by shocking economic inequalities.

Mr. President, he was a very, very remarkable man, when you think about when those words were written.

Such a republic, he argued:

Will be well and cheaply governed, or rather, little governed, for government is no farther necessary than to supply the few cases to which society and civilization are not conveniently competent.

On January 15, 1793, during Louis XVI's trial, Paine argued that while the monarchy should be destroyed the monarch should be spared; that for France to execute the man who had helped to make success in the American Revolution possible, would be for France to alienate its ally, America.

We tend to think of the execution of Louis XVI as a foregone conclusion. It may interest you to know that the vote taken at the Convention was 361 for death, 360 against.

For his efforts, Paine was condemned by the terror and languished in prison for 10 months where his health broke.

Between 1794 and 1796 Paine wrote "The Age of Reason." In this work he analyzes religion and theology using his fine tools of scholarship. He began this work while in prison in France.

Thomas Paine was born into a world of poverty and hardship, and yet his background allowed him to know what the less privileged were experiencing when he was in a position of power later in his life. That is why he was sensitive to those who were less off than he was. Paine was a self-confident man whose writings affected the very founding of the United States of America. In fact, he gave our Nation the name United States of America. He was a fiery, headstrong agitator who believed until his dying day in the rights of the individual and the basic glory of the common man.

Thomas Jefferson thought Paine's writing style resembled Benjamin Franklin's. Both men wrote in a simple and straightforward manner in a time when eloquence and excessive language were popular in written works. Paine's writing is moving in a contentious way, as he was always pleading a cause. Because of this, Paine's writings turn into arguments rather than expositions.

Paine's works are understandable, interesting, and irritating, which are the three components of a revolutionary author. His work, "Common Sense" gave the intellectual grounding for the positively unthinkable prospect of separating from the monarchy, and helped forge our Nation at a time when it did not even have a name.

Thomas Paine died in New York on June 8, 1809, and was buried on his farm in New Rochelle.

Ten years later William Cobbett dug up Paine's bones, took them to England and lost them. This is the end of the man who gave America independence its rationale; who inspired a torn, cold army on the brink of defeat; who in 1775 wrote to abolish slavery; who negotiated treaties with American Indians in Pennsylvania; who held the first post which later became known as Secretary of State; who obtained arms and money for the Yorktown campaign; who participated in two revolutions nearly losing his life in the second; who saw human dignity as a right not a charity.

His contribution to the founding and development of our country cannot be overstated. Great minds forged this Nation and Paine's was one of them. It is for this reason that Thomas Paine should be remembered with a monument to let us never forget this agitator of freedom.

Mr. President, I send a bill to the desk so it may be sent to the appropriate committee.

I yield the floor.

I thank the indulgence of my colleagues and the Chair.

By Mr. HEFLIN (for himself and Mr. SHELBY):

S. 2718. A bill to provide for the use of excess assets in black lung benefit trusts for health care benefits for retired miners, and for other purposes; to the Committee on Finance.

HEALTH CARE BENEFITS FOR RETIRED MINERS

● Mr. HEFLIN. Mr. President, I rise today to introduce, on behalf of myself and Senator SHELBY, legislation which will allow the excess assets in private black lung trust funds to be used to pay for the health benefits of retired miners. My bill would allow surplus funds which are otherwise idle, to be used to meet the rising health care costs of miners.

Under current law, miners with black lung disease may receive benefits under the black lung disability trust fund which is funded through excise taxes on mined coal. Since 1973, black lung benefits have also been paid directly by individual coal mine operators either through insurance, cash payments or through private trusts, established under section 501(c)(21) of the Internal Revenue Code. The operator may make contri-

butions to a section 501(c)(21) trust based on actuarially sound standards to cover contingent future liabilities. Although the Code allows operators to self-insure by making contributions to a section 501(c)(21) trust, this method of funding is not required. Operators may choose in the alternative to purchase insurance to cover the liabilities, or to pay their black lung liabilities out of general assets. An operator who establishes a section 501(c)(21) trust, however, provides a more secure fund from which black lung liabilities are to be paid.

Under current law, private black lung trusts, which are exempt from Federal income tax, can only be used to provide compensation for disability due to pneumoconiosis under the Black Lung Acts, to provide insurance to cover such disabilities, or to pay administrative and other incidental costs associated with the trust. These trust funds may also be invested in government securities, deposited in federally insured depository institutions, paid into the Federal black lung disability trust fund, or paid into the general fund of the U.S. Treasury. The trust must be irrevocable with no right or possibility of reversion to the coal mine operator.

My bill would amend section 501(c)(21) to allow the trustees of private black lung trust funds to make payments for sickness, accident, hospitalization and other medical expenses, administrative costs of retired miners, their spouses and dependents, or the payment of premiums for insurance covering such expenses when assets in the trust exceed liabilities. The trust funds could only be used for this purpose to the extent that the fair market value of such funds exceeds an amount equal to the present value of the liability. Whether a trust fund contains surplus assets will be determined by actuarial studies based upon the experience of the fund, and similar funds. The use of surplus funds would in no way alter the coal mine operator's continuing legal obligation to fund the trust and black lung benefits. The trust could never be depleted below the present value of the coal mine operator's liability. This bill would allow funds which are otherwise idle, to provide a much needed benefit to retired miners.

Unless a coal operator is allowed to use the trust surplus to meet health care costs of retired miners, an operator is penalized for providing this secure fund. If the operator had, instead, chosen to pay black lung liabilities out of its general assets—which would have resulted in a less secure fund since the operator might be insolvent when the future liabilities arise—the surplus would have been available for paying health care costs of retired miners. If an operator is insolvent and unable to satisfy its black lung liabilities,

the liabilities are paid by the Federal black lung disability trust fund. Creating a "penalty" by not allowing the operators to use the surplus trust funds to pay health care costs for retired miners, in effect, discourages operators from creating a secure funding arrangement to satisfy future black lung liabilities. To avoid this result, operators should be permitted to use the surplus funds to meet health care costs of the retired miners.

Mr. President, this bill will also provide a tax revenue benefit to the U.S. Treasury since health care expenditures are deductions from taxable income. If the surplus assets from black lung trusts are used for health care payments for retired miners, each company's taxable income will increase by the amount of such health care benefits.

I urge my colleagues to support this bill. ●

● Mr. SHELBY. Mr. President, I arise today to join with the senior Senator from Alabama in introducing legislation which will allow the excess assets in private black lung trust funds to be used to pay for the health benefits of retired miners.

In 1977, Congress passed the Black Lung Benefits Revenue Act. A provision in that important act added section 501(c)(21) to the Internal Revenue Code which allows coal mine operators to establish a trust to self-insure for liabilities under Federal and State black lung benefits laws. As in the case of employer contributions to qualified trusts for contingent pension plan liabilities, an operator's contributions to a 501(c)(21) trust are deductible in the tax year the contributions are made. In order to qualify under 501(c)(21) the trust must be created or organized exclusively for the following purposes:

First, to satisfy in whole or in part the operator's liabilities for black lung benefits arising from Federal or State statutes;

Second, to purchase insurance for the purpose of covering such liabilities in whole or in part; and

Third, to pay the administrative and incidental costs of the trust incurred in connection with the operation of the trust or the processing of black lung claims against the operator.

The trust funds may not be used for any other purposes except for certain investments, payment into the black lung disability trust fund, or payment into the General Fund of the Treasury. There is no right of reversion either of the corpus or of income to the coal mine operator.

Although the funding requirements for a 501(c)(21) trust are actuarially determined, it is possible for the trust to become significantly overfunded over a period of time. There are a number of experience-related factors which, over time, could cause changes

in funding levels. These include population composition, mortality, benefit increases or decreases, incidences of disability, transfers, investment earnings, benefit payment changes, allocation of net surplus, and other adjustments. For example, in the mid- and late-1970's black lung incidence rates were relatively high and this was reflected in the actuarial assumptions for funding in future years. The standards for determining eligibility for black lung benefits became more stringent through the enactment of the Black Lung Amendments Act of 1981, which resulted in lower incidence rates. Therefore, although it is possible for the 501(c)(21) trust to be significantly overfunded, under current law the excess funds must remain in the trust.

The bill I am introducing today will amend section 501(c)(21) to allow coal operators with private black lung trust funds to use these excess trust funds to pay the health benefits of retired miners. The trust funds may only be used for this purpose to the extent that the fair market value of such funds exceeds an amount equal to the present value of the liability. Whether a trust fund contains surplus assets would be determined by actuarial studies based upon the experience of the fund. If it is actuarially determined that the funds in the trust exceed the liability, then only those excess funds may be used to pay for the health benefits of retired miners. Such payments to retired miners may be for sickness, accidents, hospitalization and other medical expenses and administrative costs of retired miners, their spouses, and dependents or to make payments on the premiums for insurance covering such expenses.

The use of the surplus funds to pay the medical benefits of retired miners would in no way alter the coal mine operator's continuing legal obligation to fund the trust and to pay black lung benefits. Those obligations will continue under current law. Also, the trust could never be depleted below the present value of the coal mine operator's liability.

A coal operator who establishes a 501(c)(21) trust provides a secure fund from which black lung liabilities are paid. The funds may not be withdrawn regardless of the financial condition of the coal operator. Therefore, even bankruptcy of the operator would not affect trust fund assets. Unless the operator is allowed to use the trust surplus to meet health care costs of retired miners, an operator is penalized for providing the secure fund. If an operator chooses to pay for the black lung liabilities out of its general assets, the surplus would be available for paying health care costs of retired miners. However, paying black lung liabilities out of general assets will

result in a less secure fund since the operator may be insolvent when future liabilities arise. By not allowing coal operators to pay health care costs of retired miners from the excess assets in the trust, this in effect discourages operators from creating the secure funding arrangement to satisfy future black lung liabilities. To avoid this result, operators should be permitted to use the surplus fund to meet health care costs for retired miners.

Mr. President, this bill will result in a tax revenue benefit to the Government since health care expenditures are currently deductible from taxable income. A coal operator that pays for health care costs of retired miners out of general assets receives a deduction for those payments. However, health care payments made to retired miners from the excess trust funds, may not be deducted.

I urge my colleagues to support this bill.●

By Mr. BOSCHWITZ (for himself, Mr. GORTON, Mr. GRASSLEY, and Mr. COATS):

S. 2719. A bill to provide for Housing Opportunity Zones; to the Committee on Banking, Housing, and Urban Affairs.

HOUSING OPPORTUNITY ZONES ACT OF 1990

● Mr. BOSCHWITZ. Mr. President, 10 years ago I introduced the Urban Jobs and Enterprise Zone Act of 1980. That measure, along with the House companion bill introduced by my good friend, then-Congressman Jack Kemp, was the seed from which the enterprise zone idea grew. While the Congress has been painfully slow to approve enterprise zone incentives at the Federal level, many State and local governments have shown remarkable enthusiasm for the notion that bringing down government barriers to entrepreneurship, and offering tax and regulatory incentives, can revitalize distressed areas. Thousands of new jobs have been created in our Nation's most economically hard-hit regions by enterprise zone programs in the States and localities.

Now, 10 years after we introduced the first enterprise zone legislation in Congress, the time has come to expand the scope of this idea to encompass the needs of low and moderate income Americans in the vitally important area of housing. Mr. President, I rise today to introduce legislation that will create 50 Housing Opportunity Zones.

We are all aware of the great difficulties facing many of America's cities and towns in the area of housing affordability for people with low and moderate incomes. Housing Opportunity Zones combine two necessary methods of attacking these problems: Enticements to State and local governments to bring down their barriers to affordable housing; and a strong set of

Federal incentives to spur entrepreneurial activity in the housing sectors of America's most distressed areas.

Recent studies suggest that in some parts of the country as much as one-third or more of the price of a new home is attributable to regulatory restraints imposed by four or five layers of government. These regulations include exclusive zoning restrictions, overly complex building codes, regressive property taxes, rent controls, and other restraints. These restrictions add tens of thousands of dollars to the cost of housing and create disincentives that allow buildings to deteriorate.

Unfortunately, the bulk of the restraints on home construction and rehabilitation originate at the State and local level and cannot be reached by Federal agencies directly. That's where Housing Opportunity Zones come in. These zones are designed to put money into areas where the housing stock is deteriorating, yet local regulatory and tax barriers are stopping rehabilitation and new construction.

Cities and towns competing to be designated a Housing Opportunity Zone will be required to offer a plan to eliminate barriers to home construction and improvement. In addition to bringing down the barriers I mentioned, the applicants could also offer low priced land, vacant publicly-owned property, low-interest loans, and real estate tax abatements.

Once designated a Housing Opportunity Zone, the local incentives will be boosted by a series of Federal incentives. These would include rental rehabilitation grant bonuses, Community Development Block Grant benefits, targeted FHA insurance, and urban homesteading preferences.

I am convinced that improvements in housing quality and affordability will result from the freer markets in these zones. And providing better and more affordable housing opportunities to our Nation's low and moderate income people is what this legislation is all about. Housing Opportunity Zones provide a means for converting areas with large amounts of poor housing, limited homeownership, vacant land, and vacant, substandard housing, into areas with livable and affordable housing for people in need.

I would like to commend President Bush and Housing Secretary Jack Kemp for their efforts to promote Housing Opportunity Zones in their HOPE (Homeownership and Opportunity for People Everywhere) initiative. It is now up to the Congress to move the ball forward in this important area. I urge my colleagues on both sides of the aisle to join me in this legislation; and, I ask that Senators GORTON, GRASSLEY, and COATS be added as original cosponsors of this bill.●

By Mr. SASSER (for himself, Mr. KENNEDY, Mr. DODD, Mr. SIMON, Mr. KERRY, Mr. RIEGLE, Mr. DASCHLE, Mr. ROCKEFELLER, and Mr. BREAUX):

S. 2720. A bill to encourage employee ownership of, and participation in, companies in the United States; to the Committee on Labor and Human Resources.

EMPLOYEE OWNERSHIP AND PARTNERSHIP ACT

Mr. SASSER. Mr. President, I rise today to introduce S. 2720, the Employee Ownership and Participation Act of 1990.

This bill confronts head-on the fundamental economic challenge before us today—as a nation, we must increase productivity.

Now, we have the potential in this country to dramatically increase productivity. America's work force is skilled, and the work ethic of our citizens remains strong.

But to harness this potential, to convert this strong work ethic to productive gains in our economy, we must adapt our work places to fundamental changes in the world economy. Our companies must rethink the ways they organize people, and broaden the ways they reward employees for their skills.

A century ago, the industrial revolution transformed our economy from a labor intensive one into a capital intensive one. To maximize efficiency, top-down management and assembly-line mass production became the norm.

But today, the pace of technological innovation has made rigid, top-down management a prescription for stagnation.

Companies can no longer afford to rely exclusively on the knowledge of just those at the top of the corporate structure. Technology has created a knowledge explosion. There's simply too much to know—and no one knows the specifics of their job better than the employee.

The bill I'm introducing today will help companies learn how to channel worker knowledge to enhance company decisionmaking and productivity. That's what employee participation is all about.

This bill calls on the Secretary of Labor to establish an office of employee ownership and participation. This office would spread the word that employee ownership and participation works, and that it goes right to the bottom line.

The office would administer a small grant program to introduce companies to the benefits of employee-driven techniques and provide technical support for implementing them.

Companies from General Mills to Federal Express have reported productivity gains of up to 40 percent in sectors of their operations where employee participation has been instituted.

Participation is nothing more than everyday involvement by employee in decisions affecting their work. But it's also nothing less. It's not a suggestion box on the wall or an occasional lunch with the boss. It's daily feedback that can be taken any number of ways, from participation groups to self-managed teams.

Simply granting workers more decision-making responsibility, however, is not enough. To ensure employees make the most of new responsibilities, it's important they be given a stake in the future success of their companies.

Employee ownership gives workers that stake.

A recent GAO study confirms that employee participation combined with employee ownership dramatically enhances corporate performance. The GAO found that employee owned firms that include worker participation experience on average 52 percent faster productivity growth.

While capitalism and democracy are winning throughout the world, we must not forget to tend our own garden, to widen the circle of ownership in this country. For the golden rule of capitalism is that capitalism works best with a broad base of capitalists.

In my judgment capital ownership in America is too concentrated today, and this is to the great disadvantage of most Americans. The most recent data indicates that the wealthiest 1 percent of our citizens own fully 61 percent of individually owned shares of stock, while the bottom 90 percent of Americans owns less than 10 percent.

Employee ownership is an extremely positive way to broaden the ownership of capital. And in combination with greater employee participation in company decisionmaking, the case for employee ownership is irresistibly compelling. Widespread adoption holds the promise of dramatically increased productivity on a national scale.

Indeed, several States already understand the power of this combination and have developed programs to encourage employee ownership and participation. Through education and outreach, these programs get the word out that employee ownership and participation works. They provide technical assistance to help move companies in this direction.

These programs have been extremely innovative, the New York Program has been developing an entire curriculum to teach employees and employers about participation. The Ohio Program, which is run out of Kent State University, has put together a network of employee owned companies to facilitate the transfer of successful techniques.

Michigan has a program that specializes in gainsharing. Gainsharing plans provide short-term rewards for

productivity enhancements achieved through greater participation. When employee ownership is included to provide a long-term reward and a sense of property ownership, this in my judgment is ideal.

Massachusetts recently adopted an ambitious plan that also will serve as a model for other States.

Also, Oregon, Washington, Wisconsin, Montana, Connecticut, Utah, now Pennsylvania, all have innovative programs. California, Montana, West Virginia, Delaware, New Jersey, Maryland, Indiana, and Hawaii have shown strong interest.

There is considerable and growing momentum to establish a program in my home state of Tennessee.

Despite the proven benefits of employee participation and ownership, my colleagues may wonder why the adoption of these techniques hasn't been more widespread.

A recent cover story of business week—entitled "go team! The payoff from worker participation"—investigated this very question. Business week found that resistance often comes from both sides: management and labor.

Because participation means a larger decision-making role for employees, managers must give up some control and some resist this, even if it means squandering an opportunity for improved productivity. Employees often resist when the distrust of management runs deep.

And I must say, coming down from a decade-long binge of LBO's and takeovers that largely ignored employee interests, I don't blame employees for being skeptical at first.

I am convinced that Federal leadership is needed to cut a clean path through the hesitation and suspicion. The Employee Ownership and Participation Act of 1990 will provide that essential leadership.

This bill mandates the creation of a Federal office to facilitate and coordinate proactive employee programs in the States where fledgling programs exist, and to create new programs in the remaining States.

The ideal I think we must strive for is a democratic capitalism where our citizens are given more responsibility over their jobs and where employees have an ownership stake in their companies. As we approach this ideal, not only will we be a more productive society economically, but the lives of our citizens will be more meaningful and satisfying.

I urge my colleagues to support this effort.

By Mr. LIEBERMAN:

S. 2721. A bill to amend title 18 of the United States Code to give the Secret Service jurisdiction to assist in investigating certain financial crimes

arising from the savings and loan crisis; to the Committee on Finance.

GIVING THE SECRET SERVICE JURISDICTION IN INVESTIGATING S&L CRIMES

Mr. LIEBERMAN. Mr. President, I rise to introduce a bill that would give the U.S. Secret Service authority to investigate fraud committed by savings and loan operators and other criminals in the financial services industry.

The savings and loan scandal is the crime of the century. I think it makes sense to get the Secret Service involved in finding out who caused it and making sure those who are to blame suffer. Savings and loan officers have literally mugged the American taxpayer, cheating him and her out of billions of dollars. But we risk letting them off the hook unless we commit the resources that are necessary to find out who committed the crimes and bring them to justice.

Mr. President, every man, woman and child in this country will have to come up with more than \$1,000 each to pay for the savings and loan scandal. The ultimate cost is going to be in the hundreds of billions of dollars. The Attorney General of the United States himself estimates that 25 to 30 percent of the savings and loan failures are actually attributable to criminal activity by thrift officers, not just to mistakes of judgment. Twenty-five to thirty percent of these hundreds of billions of dollars that you and I and everybody else in this country are going to have to pay is not the result of misjudgment, it is the result of criminal activity.

Those responsible for savings and loan fraud are common criminals, and they should be treated that way. The fact that they were officers of financial institutions in high-prestige jobs really makes their crimes all the more reprehensible.

We need as many sophisticated investigators as possible to uncover their sophisticated crimes. I think the Secret Service is just the group to help us in that effort.

Mr. President, the Federal Bureau of Investigation has been doing extraordinarily able work in investigating these savings and loan crimes, but the Bureau is truly overburdened with investigations. The backlog is understandably very, very large. In fact, the Bureau has been unable to initiate investigations of a large number of financial crimes, including over 1,000 cases that involve the loss of more than \$100,000.

The Secret Service has a record in law enforcement of coordinating with the FBI in areas of common jurisdiction. This bill would give the Secret Service concurrent authority with the FBI to investigate savings and loan crimes. I am convinced that these two agencies can work together efficiently

to help us solve the savings and loan criminal cases.

I know that when most people think of the Secret Service, they think of the men with earpieces who surround the President of the United States in public appearances. But they are just the most visible portion of a large agency with significant experience in investigating financial crimes, such as counterfeiting, Government check forgery, and fraud related to the FDIC. In fact, 70 percent of Secret Service agents are assigned to criminal investigations, and their track record is an outstanding one. Let me just cite one example.

Eighteen months after the Secret Service was directed to address the problem of counterfeiting of credit card devices in 1984, industry losses were reduced from \$200 million a year to \$10 million a year. This is just the kind of track record that we want to bring to bear in the savings and loan crisis today.

I am pleased to say that I have consulted with officials at the Treasury Department and the Secret Service in preparing to introduce this legislation. The Secret Service has informed me that if this legislation is enacted, 100 agents can be made available immediately to begin investigating savings and loan fraud cases.

In other words, because of the critical importance of the savings and loan crisis, they would take 100 agents off other matters and put them into this top priority area immediately. A total of 300 agents would be made available as soon as possible. These are soldiers in a battle that all of America wants to see us win, and that is the battle against those individuals who, by their guile and deceit and criminal activity, have enriched themselves and will continue for years and years to come to force all of us in this country to pay and pay significantly. These are the people who put additional pressure on our already deficit-burdened economy as it tries to raise the money necessary to deal with the savings and loan problems.

So I would love to see these additional soldiers brought into this battle. I am convinced that they will help us find the culprits and force them to suffer in some small measure, just as all of us are going to suffer as a result of their deeds in the years ahead.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL AUTHORITY FOR THE SECRET SERVICE.

Section 3056(b)(1) of title 18, United States Code, is amended by—

- (1) inserting "financial institutions, and the Resolution Trust Corporation, and concurrent with the authority of any other Federal law enforcement agency," and after "land bank associations,";
- (2) inserting "215," after "213,";
- (3) inserting "656," after "493,";
- (4) inserting "1005," after "709,"; and
- (5) inserting "1341, 1343, 1344, 1510," after "1014,".

SEC. 2. EFFECT OF AMENDMENTS.

The amendments made by this Act shall not alter the authority of any other Federal law enforcement agency.

ADDITIONAL COSPONSORS

S. 1299

At the request of Mr. SPECTER, the name of the Senator from Massachusetts [Mr. KENNEDY] was added as a cosponsor of S. 1299, a bill to establish a Police Corps program.

S. 1384

At the request of Mr. DASCHLE, the name of the Senator from Maine [Mr. MITCHELL] was added as a cosponsor of S. 1384, a bill to amend title XVIII of the Social Security Act to provide direct reimbursement under part B of Medicare for nurse practitioner or clinical nurse specialist services that are provided in rural areas.

S. 1511

At the request of Mr. PRYOR, the name of the Senator from Georgia [Mr. FOWLER] was added as a cosponsor of S. 1511, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the protections given to older individuals in regard to employee benefit plans, and for other purposes.

S. 1587

At the request of Mr. HELMS, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1587, a bill to amend the Internal Revenue Code of 1986 to provide for the designation on income tax forms of overpayments of tax and contributions to reward the return of a Vietnam POW/MIA.

S. 2244

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 2244, a bill to prevent and control infestations of the coastal and inland waters of the United States by the zebra mussel, and other nonindigenous aquatic nuisance species.

S. 2283

At the request of Ms. MIKULSKI, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from Washington [Mr. ADAMS], and the Senator from Florida [Mr. GRAHAM] were added as cosponsor of S. 2283, a bill to amend the Public Health Service Act to establish a program of grants for the prevention and control

of breast and cervical cancer, and for other purposes.

S. 2415

At the request of Mr. DOMENICI, the names of the Senator from Idaho [Mr. SYMMS], the Senator from Iowa [Mr. HARKIN], and the Senator from Arizona [Mr. DECONCINI] were added as cosponsors of S. 2415, a bill to encourage solar and geothermal power production by removing the size limitations contained in the Public Utility Regulatory Act of 1978.

S. 2675

At the request of Mr. KOHL, the names of the Senator from Montana [Mr. BURNS], the Senator from Vermont [Mr. JEFFORDS], the Senator from Iowa [Mr. HARKIN], the Senator from Michigan [Mr. LEVIN], and the Senator from Indiana [Mr. COATS] were added as cosponsors of S. 2675, a bill to amend title 13, United States Code, to provide for the enumeration in the census of members of the armed forces assigned outside of the United States, and for other purposes.

S. 2699

At the request of Mr. ROTH, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 2699, a bill to amend title 31 of the United States Code to restrict the use of appropriations amounts available for definite periods.

S. 2712

At the request of Mr. LIEBERMAN, his name was added as cosponsor of S. 2712, a bill to establish a Financial Services Crime Division in the Department of Justice.

SENATE JOINT RESOLUTION 195

At the request of Mr. CHAFEE, his name was added as a cosponsor of Senate Joint Resolution 195, a joint resolution proclaiming Christopher Columbus to be an honorary citizen of the United States.

SENATE JOINT RESOLUTION 263

At the request of Mr. HELMS, the name of the Senator from Texas [Mr. GRAMM] was added as a cosponsor of Senate Joint Resolution 263, a joint resolution to designate October 11, 1990, as "National Society of the Daughters of the American Revolution Centennial Day."

SENATE JOINT RESOLUTION 276

At the request of Mr. LIEBERMAN, the names of the Senator from Maine [Mr. COHEN] and the Senator from Idaho [Mr. McCLURE] were added as cosponsors of Senate Joint Resolution 276, a joint resolution designating the week beginning July 22, 1990, as "Lyme Disease Awareness Week."

SENATE JOINT RESOLUTION 282

At the request of Mr. WILSON, the names of the Senator from Michigan [Mr. RIEGLE] and the Senator from

Montana [Mr. BURNS] were added as cosponsors of Senate Joint Resolution 282, a joint resolution to designate the decade beginning January 1, 1990, as the "Decade of the Child."

SENATE JOINT RESOLUTION 293

At the request of Mr. RIEGLE, the names of the Senator from Hawaii [Mr. INOUE], the Senator from New Jersey [Mr. BRADLEY], and the Senator from Alabama [Mr. HEFLIN] were added as cosponsors of Senate Joint Resolution 293, a joint resolution to designate November 6, 1990, as "National Philanthropy Day."

SENATE JOINT RESOLUTION 311

At the request of Mr. INOUE, the names of the Senator from Minnesota [Mr. DURENBERGER] and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of Senate Joint Resolution 311, a joint resolution to designate the month of November 1990 as "National American Indian and Alaska Native Heritage Month."

SENATE JOINT RESOLUTION 312

At the request of Mr. ROBB, the names of the Senator from Idaho [Mr. SYMMS] and the Senator from Michigan [Mr. RIEGLE] were added as cosponsors of Senate Joint Resolution 312, a joint resolution designating the week of November 12, 1990, through November 18, 1990, as "National Critical Care Awareness Week."

SENATE JOINT RESOLUTION 320

At the request of Mr. LAUTENBERG, the names of the Senator from Michigan [Mr. RIEGLE], the Senator from Florida [Mr. GRAHAM], the Senator from Wyoming [Mr. SIMPSON], and the Senator from Wyoming [Mr. WALLOP] were added as cosponsors of Senate Joint Resolution 320, a joint resolution designating July 2, 1990, as "National Literacy Day."

SENATE JOINT RESOLUTION 329

At the request of Mr. DECONCINI, the names of the Senator from Idaho [Mr. McCURE], the Senator from Maryland [Mr. SARBANES], the Senator from Washington [Mr. ADAMS], the Senator from New Jersey [Mr. BRADLEY], the Senator from Illinois [Mr. SIMON], the Senator from Indiana [Mr. COATS], the Senator from Wyoming [Mr. WALLOP], the Senator from Maryland [Ms. MIKULSKI], the Senator from Minnesota [Mr. DURENBERGER], the Senator from New Mexico [Mr. DOMENICI], and the Senator from Pennsylvania [Mr. HEINZ] were added as cosponsors of Senate Joint Resolution 329, a joint resolution to designate the week of June 17, 1990 through June 23, 1990 as "National Week to Commemorate the Victims of the Famine in Ukraine, 1932-33," and to commemorate the Ukrainian famine of 1932-33 and the policies of Russification to suppress Ukrainian identity.

SENATE CONCURRENT RESOLUTION 127

At the request of Mr. KENNEDY, the names of the Senator from Illinois

[Mr. DIXON] and the Senator from Wisconsin [Mr. KOHL] were added as cosponsors of Senate Concurrent Resolution 127, a concurrent resolution to express the sense of Congress that Greyhound Lines, Inc., and the Amalgamated Transit Union should pursue meaningful negotiations under the auspices of the Federal Mediation and Conciliation Service and the Secretary of Labor to resolve their dispute and restore vital transportation services to American communities.

SENATE RESOLUTION 298—RELATIVE TO THE PROSECUTION OF FINANCIAL INSTITUTIONS CRIME

Mr. WIRTH (for himself, Mr. RIEGLE, Mr. DIXON, Mr. GRAHAM, Mr. SASSER, Mr. LEVIN, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 298

Whereas the savings and loan debacle is the largest financial crisis in our Nation's history;

Whereas fraud and other criminal activity contributed significantly to the savings and loan industry's losses and will cost taxpayers billions of dollars;

Whereas the Attorney General Richard Thornburgh recently spoke of an "epidemic of fraud" in the savings and loan industry and indicated that at least 25 to 30 percent of savings and loan failures can be attributed to criminal activity by the institution's officers and management;

Whereas officials at the Resolution Trust Corporation indicate that an estimated 60 percent of the institutions the corporation has seized "have been victimized by serious criminal activity";

Whereas investigating and prosecuting criminal activity related to the savings and loan crisis will help send an important message of "never again" to those involved in the financial industry;

Whereas the Financial Institutions Reform, Recovery and Enforcement Act of 1989 authorized \$75,000,000 annually for 3 years to investigate and prosecute financial institution crimes;

Whereas the President requested only \$50,000,000 of that authorization on behalf of the Department of Justice for the current fiscal year;

Whereas the Federal Bureau of Investigation and United States Attorneys' offices requested 224 more special agent positions, 113 more assistant United States attorney positions, and 142 more support staff positions than the agencies received as a result of the \$50,000,000 in new funding;

Whereas the Federal Bureau of Investigation has received more than 20,000 referrals involving fraud in the financial services industry that the Bureau has been unable to examine, more than 1,000 of which are major cases that involve losses of more than \$100,000;

Whereas as of February 1990, the Bureau also had more than 7,000 pending bank fraud and embezzlement cases, some 3,000 of which were major cases;

Whereas more than 900 pending cases and more than 200 unaddressed referrals involve losses greater than \$1,000,000;

Whereas regulators will examine and close more insolvent institutions, and the Department of Justice will receive thousands more referrals of possible criminal activity related to savings and loan failures, increasing the workload for Federal investigators and prosecutors;

Whereas the passage of time makes investigation more difficult and expiring statutes of limitation could allow serious crimes to go unpunished if investigation and prosecution is delayed; and

Whereas the current level of resources devoted to investigating and prosecuting fraud and criminal activity within the financial services industry is inadequate to address the crimes that contributed to the losses of savings and loan associations: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should, at a minimum, see the full \$75,000,000 authorized by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 for fiscal years 1991 and 1992 to pursue the investigation and prosecution of financial institution crimes; and

(2) the President should allocate additional resources as necessary to ensure that criminal activity that contributed to losses to the Federal deposit insurance funds is investigated and prosecuted to the fullest practicable extent.

● Mr. WIRTH. Mr. President, today, I am offering a resolution calling upon the President to seek the full \$75 million authorized by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 [FIRREA] to pursue the investigation and prosecution of financial institution crimes. The resolution also requests that the President allocate additional resources as necessary to ensure criminal activity that contributed to losses to the Federal deposit insurance funds is investigated and prosecuted to the fullest practicable extent.

The savings and loan debacle is the largest financial crisis in the Nation's history. Illegal activity was widespread within the thrift industry and will cost taxpayers billions of dollars. Taxpayers rightfully expect the Federal Government to vigorously pursue individuals whose illegal activities contributed to the industry's losses. If we are serious about sending a message of "never again" to those involved in the financial industry, we must aggressively investigate and prosecute criminal activity related to the S&L crisis. We cannot let those in the financial services industry believe the Government will cover any loss—no matter how big—and then let the perpetrators go unpunished.

Mr. President, the need for additional resources to send that message is well documented. There is no question that fraud and insider abuse by S&L owners and management contributed significantly to the problem we now face.

Attorney General Richard Thornburgh recently spoke of an "epidemic of fraud" in the S&L industry and said

that at least 25 to 30 percent of thrift failures can be attributed to criminal activity by S&L officers. Criminal activity played a lesser role in many more thrift failures and a General Accounting Office study examined 26 thrift failures and found activities at each insolvent institution that appeared to be fraud and insider abuse. In its work thus far, the Resolution Trust Corporation has estimated that about 60 percent of the institutions it has seized "have been victimized by serious criminal activity."

As a result of this fraud and abuse, Mr. President, the FBI and U.S. attorneys are facing a heavy workload. The FBI has received more than 20,000 referrals involving fraud in the financial services industry that the Bureau has been unable to examine. More than 1,000 of these cases are major that involve losses of more than \$100,000. As of February, the Bureau also had about 7,000 active pending bank fraud and embezzlement cases, some 3,000 of which were major. More than 900 of the pending cases and more than 200 of the unaddressed referrals involve losses greater than \$1 million.

Clearly the Department of Justice faces a large caseload and it is growing rapidly. Mr. Timothy Ryan, the new Director of the Office of Thrift Supervision, recently informed me that bank and thrift regulators were sending the Department of Justice 8,000 referrals per month regarding civil and criminal violations and that there were now 80,000 cases pending. These numbers are astounding and cannot be ignored.

Last year FIRREA authorized \$75 million annually for 3 years to investigate and prosecute financial institution crimes. However, the administration requested only \$50 million for the current fiscal year. The \$50 million provided for fiscal year 1990 was used to increase staff in FBI and U.S. attorneys' offices throughout the country. Unfortunately, the funding was inadequate. The personnel added with the \$50 million do not meet the staffing needs identified in a recent FBI survey. In this survey, FBI and U.S. attorneys' offices requested 224 more FBI agents, 113 more assistant U.S. attorney positions, and 142 more support staff positions than the agencies received.

I am convinced that we need to provide our law enforcement agencies with additional resources to investigate and prosecute criminal activity in the S&L industry that contributed to taxpayer losses. At a minimum, we must seek the full resources authorized by FIRREA. I will continue to pursue this goal.

My resolution would send an important message to the American people, the President and administration, and those involved in the financial services

industry that fraud and other criminal activity involved in the savings and loan crisis must be vigorously investigated and prosecuted. The proposal will help us fulfill the commitment we made to the American people in FIRREA to target and prosecute criminal activity within the S&L industry. The American taxpayers deserve nothing less.

Mr. President, I am pleased that Senators DIXON, GRAHAM, RIEGLE, SASSER, LEVIN, and LIEBERMAN are original cosponsors of the resolution. I urge my colleagues to join us in this effort.●

SENATE RESOLUTION 229—EX-PRESSING GRATITUDE TO EUNICE KENNEDY SHRIVER

Mr. MITCHELL (for himself, Mr. DOLE, Mr. DODD, and Mr. DURENBERGER) submitted the following resolution; which was considered and agreed to:

S. RES. 229

Whereas Eunice Kennedy Shriver, through the establishment of Special Olympics and her pioneering efforts on behalf of people with mental retardation, has united the world in understanding the great human potential in all people;

Whereas Eunice Kennedy Shriver, through her life work, has created a new consciousness that people with mental disabilities have the inalienable right to live, learn, work and play in an environment of equality, respect and acceptance;

Whereas Special Olympics—founded on the conviction that people with mental disabilities benefit physically, mentally, socially and spiritually from sports training and competition—has strengthened families, inspired volunteers and united the world community at large, through both participation and observation;

Whereas Special Olympics, through the universal medium of sport, encourages all its participants to recognize individual achievement by extending the limits of personal potential;

Whereas the Spirit of Special Olympics—skill, courage, sharing and joy—incorporates universal values which transcend all boundaries of geography, nationality, political philosophy, gender, age, race or religion;

Whereas Eunice Kennedy Shriver's energy, commitment and love have been the guiding spirit of the Special Olympics since she created it twenty-two years ago: Now, therefore, be it

Resolved, That the United States Senate, upon the announcement of her decision to step down as Chairman of Special Olympics International, expresses its admiration, support and gratitude to Eunice Kennedy Shriver for her dedicated efforts as a pioneer leader of sport and for her vision in blazing a trail of dignity, hope and respect for persons with mental disabilities throughout America and the world.

AMENDMENTS SUBMITTED

AIR TRAVEL RIGHTS FOR BLIND INDIVIDUALS ACT

GORTON AMENDMENT NO. 2013

(Ordered to lie on the table.)

Mr. GORTON submitted an amendment intended to be proposed by him to the bill (S. 341) to amend the Federal Aviation Act of 1958 to prohibit discrimination against blind individuals in air travel, as follows:

On page 2, strike lines 1-8 and insert in lieu thereof the following:

"That this Act may be cited as the 'Air Travel Rights Act of 1990'."

"Sec. 2. Section 404(c) of the Federal Aviation Act of 1958 (49 App. U.S.C. 1374(c)) is amended by adding a subparagraph (3) at the end thereof as follows:

"(3) An air carrier shall make available seating in the exit rows of air carrier aircraft in a safe and non-discriminatory manner as follows: no person may be denied seating in such rows unless it is likely that such person would be unable to perform one or more of the following functions without assistance in the event of an emergency:

"(1) Locate the emergency exit;

"(2) Recognize the emergency exit opening mechanism;

"(3) Comprehend the instructions for operating the emergency exit;

"(4) Operate the emergency exit;

"(5) Assess whether opening the emergency exit will increase the hazards to which passengers may be exposed;

"(6) Follow oral directions and hand signals given by a crewmember;

"(7) Stow or secure the emergency exit door so that it will not impede use of the exit;

"(8) Assess the condition of an escape slide, activate the slide, and stabilize the slide after deployment to assist others in getting off the slide;

"(9) Pass expeditiously through the emergency exit; and

"(10) Assess, select, and follow a safe path away from the emergency exit.

"In making any decision to deny seating under this subparagraph, an air carrier must first determine that it is unlikely that the person would be unable to perform a function unassisted because—

"(1) The person lacks sufficient mobility, strength, or dexterity in both arms and hands, and both legs;

"(i) To reach upward, sideways, and downward to the location of emergency exit and exit-slide operating mechanisms;

"(ii) To grasp and push, pull, turn, or otherwise manipulate those mechanisms;

"(iii) To push, shove, pull, or otherwise open emergency exits;

"(iv) To lift out, hold, deposit on nearby seats, or maneuver over the seatbacks to the next row objects the size and weight of over-wing window exit doors;

"(v) To remove obstructions similar in size and weight to over-wing exit doors;

"(vi) To reach the emergency exit expeditiously;

"(vii) To maintain balance while moving obstructions;

"(viii) To exit expeditiously;

"(ix) To stabilize an escape slide after deployment; or

“(x) To assist others in getting off an escape slide;

“(2) The person is less than 15 years of age or lacks the capacity to perform one or more of the applicable functions listed above without the assistance of an adult companion, parent, or other relative;

“(3) The person lacks the ability to read and understand instructions related to the emergency evacuation provided by the air carrier in printed, handwritten, or graphic form or the ability to understand oral crew commands in the English language;

“(4) The person lacks sufficient visual capacity to perform one or more of the applicable functions listed above without the assistance of visual aids beyond contact lenses or eyeglasses;

“(5) The person lacks sufficient aural capacity to hear and understand instructions shouted by flight attendants, without assistance beyond a hearing aid;

“(6) The person lacks the ability adequately to impart information orally to other passengers; or

“(7) The person has:

“(i) A conditioning or responsibilities, such as caring for small children, that might prevent the person from performing one or more of the applicable functions listed above; or

“(ii) A condition that might cause the person harm if he or she performs one or more of the applicable functions listed above.”

NOTICES OF HEARINGS

SUBCOMMITTEE ON WATER AND POWER

Mr. BRADLEY. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources to receive testimony on S. 1765, the Mid-Dakota Rural Water System Act of 1989, and S. 2710, a bill to authorize the Secretary of the Interior to construct the Lake Andes-Wagner and Marty II Units in South Dakota.

The hearing will take place on June 19, 1990, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building, Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit written testimony to be included in the hearing record is welcome to do so. Those wishing to submit written testimony should send two copies to subcommittee, SD-364, Washington, DC 20510.

For further information, please contact Tom Jensen, counsel for the subcommittee at (202) 224-2366.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. BUMPERS. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources.

The hearing will take place on June 21, 1990, beginning at 2 p.m., in room

SD-366 of the Senate Dirksen Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 2680, a bill to provide for the relief of certain persons in Stone County, AR, deprived of property as a result of a 1973 dependent resurvey by the Bureau of Land Management.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, anyone wishing to submit written testimony to be included in the hearing record is welcome to do so. Those wishing to submit written testimony should send two copies to the Subcommittee on Public Lands, National Parks and Forests, SD-364, Washington, DC 20510.

For further information regarding the hearing, please contact Tom Williams of the subcommittee staff at (202) 224-7145.

ADDITIONAL STATEMENTS

CHINA AND MFN

● Mr. RIEGLE. Mr. President, last year, on June 4, thousands of unarmed Chinese students were killed in the massacre at Tiananmen Square. This brutal act of repression of the human spirit by the Chinese Government has been indelibly etched on the Chinese consciousness and will never be forgotten.

In the 12 months that have passed since Chinese troops fired on the pro-democracy demonstrators, events in China have not improved. The respected human rights organization Asia Watch reports that “anywhere between 10,000 and 30,000 people * * * remain behind bars on account of their pro-democracy activities last summer.” There have also been 40 announced executions of demonstrators and possibly 70 more secret executions. In addition, torture has been widely used to extort confessions for crimes which protestors did not commit. Even Chinese students in America have been monitored and harassed, reportedly by Chinese officials.

In Eastern Europe, the revolutions of 1989 were remarkable because they represented a worldwide trend toward democracy. During 1989, only in China, did such a revolutionary event slow the pace of democratic change.

America must not encourage these negative developments which have enveloped China in the wake of the Tiananmen Square tragedy. Unfortunately, rather than promoting reconciliation between Chinese authorities and the Chinese people, the United States Government, through its actions, has emboldened the Chinese authorities to pursue their heavy-handed, inhumane policies.

Reversing a firm early stand, the Bush administration has made several

concessions to China's authoritarian government. On two occasions last year, President Bush sent National Security Adviser Brent Scowcroft and Deputy Secretary of State Lawrence Eagleburger to meet with China's leaders—the same butchers of Beijing who ordered the massacre. Because the American people would not have supported such a mission while China's brave students were being jailed, the first trip was made in secret.

Furthermore, earlier this year, President Bush vetoed legislation which would have extended visas for Chinese students studying in America who felt threatened by returning to a post-Tiananmen Square China. Although in the face of severe criticism President Bush finally issued an executive order allowing Chinese students to remain in the United States, Beijing still thumbed its nose at our country by placing new restrictions on students seeking to study abroad.

The United States must not make any further concessions. We can, however, play a constructive role by continuing to make clear to China that any improvements in relations require that it demonstrate a respect for the fundamental rights and liberties of its citizens.

Still, the administration has decided to grant most favored nation trade advantages to the Chinese Government without any progress on its human rights record. This sends precisely the wrong message at the wrong time. Until China releases the thousands of political prisoners held in the wake of the Beijing massacre, we should not unconditionally grant MFN status. By renewing MFN, we are only empowering the hard-liners, such as Li Peng, by showing international support for their policies. And, even if we are concerned with the impact upon United States-Chinese relations, we must realize that granting MFN is an expression of tacit support for the failed policies of Beijing's which have cursed China with economic stagnation.

Any attempt to gain good will from China's octogenarian leaders by granting MFN is also bound to backfire. Because Li Peng and Deng Tsiao Ping have reached the twilight of their lives, any political benefit President Bush could possibly extract will necessarily be short lived.

America must recognize that by granting MFN, we are subjugating the lasting values of freedom and democracy to the financial expediency of the moment.

While I welcome the Chinese Government's recent release of about 300 prisoners, this improvement is primarily in appearance. It should not divert our attention from the thousands still held in prison or those tortured or killed for only their political views.

On Sunday, June 3, hundreds of people gathered at a rally in Detroit, MI, to remind the Nation of the events of 1 year ago and the continuing repressive policies of China. Although I was unable to attend this important event, I stand firmly behind those in Michigan and around the country who would like to see the United States take a firmer stand in our relations with China.

America must be staunch in its support for human rights in China. Only by reversing the failed policies of the Bush administration, can the United States be true to its values while helping the prodemocracy demonstrators still in jail.

Today, the situation in China may appear calm and orderly on the surface, but we know that the Chinese people are anything but calm. The memory of last year's tragedy is still vivid in the minds of millions of Chinese. While this notion of freedom and democracy burns within the hearts and minds of China's youth, true emancipation for China cannot be far.

EARTH DAY

● Mr. JEFFORDS. Mr. President, during the recent celebration of the 20th anniversary of Earth Day, efforts were made throughout this Nation to heighten awareness of growing environmental problems facing this planet. From rallies to demonstration to community projects, people worked together to encourage recycling, pollution prevention, and other important initiatives needed to reverse degradation taking place on this Earth.

While people of all ages were involved in Earth Day activities, a striking number of children and young adults expressed recognition of the importance of this event and the need to work now to protect the Earth's resources for their future. I was truly impressed with the foresight of these students about the need for a unified effort to reverse trends and habits which cause harm to the environment.

Toward that end, I would like to submit for the Record a resolution adopted by students at Lake Region Union High School in Orleans, VT. Their resolution outlines goals for Congress in regard to pollution prevention, education, enforcement, and preservation. Recognizing the implications of individual choice, the students call upon themselves to be better informed, to make intelligent choices and to participate in the decisionmaking process.

These students make up our future, and we must pay attention to their concerns about what this world will be like as they become adults, and what it will be like for their children. Unfortunately, we cannot change what we have done in the past, but we can

begin efforts to correct the past damage to the environment and minimize any future damage in order to provide a better place to live when they are the leaders of this country. Mr. President, we must listen to students like those at Lake Region Union High School, for they are our future and will inherit the imprints we leave on the Earth.

The resolution follows:

EARTH DAY RESOLUTION: LAKE REGION UNION HIGH SCHOOL, ORLEANS, VT

We, the students and staff of Lake Region Union High School, recognize that we and all living beings depend upon the Earth. We must recognize that we share a common bond, and go beyond acting only for selfish or personal reasons. We must recognize the things that we are doing that are making the Earth uninhabitable, for people and for many species of life. We must accept responsibility for the actions that we take, and develop common principles that will shape our future in harmony with the Earth.

We call upon our representatives in the national government to: make concern for the maintenance and protection of our environment a first consideration when discussing legislation; call for the ban of all chemicals harmful to the environment, or mandate that provisions be developed and established for their safe disposal before they are able to be produced; demand strict enforcement of all environmental laws, requiring that polluters bear the financial burden for necessary clean-up and face punitive damages; provide generous incentives for the research and development of recyclable materials and renewable sources of energy; and, increase our national investment in the preservation of wilderness areas.

We call upon ourselves to: recognize that our actions directly impact upon our neighbors, and the global community; choose to purchase recyclable and biodegradable products, and avoid those that are not; participate in school and community recycling programs, and encourage our friends to also participate; and, be willing to speak out when we see others who are spoiling our environment.

All people, and all living beings, have the right to a healthful environment. We recognize that it is our duty to protect this right, for ourselves and for future generations.

NATIONAL AGRICULTURAL RESEARCH WEEK

● Mr. GLENN. Mr. President, I am very happy to be a cosponsor of Senate Joint Resolution 321, which would designate the week of August 19 through 25, 1990, as "National Agricultural Research Week."

Agricultural research has created an incredible diversity of improved crops that resist drought and disease. It has increased production of our agricultural commodities and given us new and better machinery to aid in everything from preplanting to post-harvest.

The trend in agricultural research is to find new ways to use the commodities we are now producing in abundance. My own bill, S. 1237, the "Degradable Commodity Plastics Procurement and Standards Act of 1989," promotes the use of one such new prod-

uct—degradable plastics made from corn. In the future we will see the development of other alternative uses of agricultural commodities such as ethanol and soybean oil ink.

We have always relied on agricultural research to find ways to increase the volume of good that we produce. Now we are calling upon our research scientists to find ways to improve the safety and quality of the food we produce. Today, new methods in biotechnology are emerging as practical tools for development of plants and animals with improved nutrient content.

In our changing world, we have an increasing need to turn to agriculture to generate a sufficient, safe supply of food and fiber and at the same time carry out responsible stewardship of our natural resources. Agricultural researchers will have the lead in finding answers to environmental problems such as global warming and solid waste management. Research into alternative methods of agriculture will show farmers ways to limit use of agricultural chemicals, thereby reducing the potential for groundwater contamination while decreasing the cost of production.

Declaring a National Agricultural Research Week will reinforce the importance of agricultural research and enable us to celebrate the richness that the scientific community has given us.

ENROUTE WITH AN "EDUCATION PRESIDENT": NOTES AND QUOTES

● Mr. SIMON. Mr. President, recently, Father John W. Donohue, S.J., an associate editor of American magazine, wrote an article in that publication about where we are in the field of education.

It is not encouraging reading, and I do not know of anyone who follows the American scene today, who believes that we are in the kind of shape we ought to be.

You do not have to agree with every point expressed by Father Donohue to recognize that his implied call for improved quality is one we ought to heed.

I ask that it be printed in the Record at this point.

The article follows:

[From American magazine, Apr. 7, 1990]

ENROUTE WITH AN "EDUCATION PRESIDENT": NOTES AND QUOTES

(By John W. Donohue)

Both saints and poets—Ignatius Loyola, for instance, and Robert Burns—have pointed out that it is a blessing to see ourselves as others see us. The Jan. 13 issue of the British Catholic weekly, *The Tablet*, provided U.S. readers with just such a discomfiting grace. In a review of a book by two U.S. ecologists, *The Tablet's* Eastern European correspondent, Anatol Lieven, remarked

that these writers offer sensible suggestions for reforming American education so as to make it more aware of environmental threats like the greenhouse effect. Then Mr. Lieven tossed in a parenthetical observation of his own: "Whether the political institutions of the United States still possess enough coherence to carry out educational or any other major reforms seems, however, very doubtful."

Stung by a criticism they cannot quite dismiss, many Americans might concede that Mr. Lieven has a point, but President George Bush certainly would not. He is so sure the schools can be reformed that he has set a timetable for this revolution.

In his 1988 campaign speeches, Mr. Bush regularly said, "I do want to be the education President . . . to make us No. 1 in education all around the world." Two days before his inauguration, he assured a group of teachers visiting Washington that he still meant what he had said: "Education will be on my desk and on my mind right from the start every day." Perhaps it will, because the President's concern is utilitarian. He told several hundred business leaders meeting in Washington last June: "You know the bottom line: We can't have a world-class economy with second-class schools."

Some of the thoughts about education from the Presidential desk turned up in the Jan. 31 State of the Union Message: "By the year 2000, every child must start school ready to learn. The United States must increase the high school graduation rate to no less than 90 percent. And we are going to make sure our schools' diplomas mean something. In critical subjects, at the fourth, eighth and twelfth grades, we must assess our students' performance. By the year 2000, U.S. students must be the first in the world in math and science achievement."

The President conceded that these are "ambitious" goals, but he also seemed to think they are within reach. So did House Speaker Thomas S. Foley (D., Wash.) in the Democratic response to the Presidential message, although he did put it more cautiously: "We will set a national goal of making our schools once again the best in the world by the year 2000."

Not to be outdone in displays of groundless optimism, the governors of the 50 states in a statement issued during their February meeting endorsed Mr. Bush's schedule: "America's educational performance must be second to none in the 21st century. A new standard for an educated citizenry is required."

Sure enough. But setting goals is easy; what counts is attaining them. There are not many others who imagine that it is possible to accomplish in 10 years what the President, the Speaker and the governors so confidently intend. Put aside the undemonstrated and indemonstrable proposition that U.S. schools were once in some Golden Age the world's best. What is certain is that becoming first in math and science within the next 10 years as well as second to none in overall performance would be the academic equivalent of landing a spaceship on the moon. There is not enough time, not enough money and not enough national determination.

Not enough time. Two years ago, the International Association for the Evaluation of Educational Achievement reported the results of science tests given in 1986 to 200,000 of the best secondary school students in 24 industrialized nations. The young people from Hong Kong, Singapore

and England were at the top of the list and the U.S. high school seniors at the bottom. This international report card, said William J. Bennett, who was U.S. Secretary of Education at that time, showed that U.S. students, compared with those of the other countries, were not only not improving, but doing worse: "They're in reverse and going downhill."

The outlook was not much brighter in the non-scientific humanities. The common schooling that is supposedly shared by all Americans requires much more than science and mathematics. For instance, since public schools do not include the study of religion in their curriculum, they should presumably want to take special care with the teaching of literature and history because these subjects, besides being of first importance themselves, can easily make room for some reflection on moral values. Yet here too U.S. teen-agers appear to be guided by the warning of Ecclesiastes: "In much wisdom there is much sorrow, and he who stores up knowledge stores up grief" (1:18).

Such at least is the dismal news from the National Assessment of Educational Progress (N.A.E.P.), a Federally funded project under the Education Department's umbrella. It was set up in 1969 for taking the academic temperature of the elementary and secondary school systems by nationwide testing in various subjects at regular intervals. The tests are administered under contracts by a nonpublic enterprise, the Educational Testing Service in Princeton, N.J., the white-collar industry that also brings college-bound students the Scholastic Aptitude Tests.

In 1986, two of these assessments measured the knowledge of history and literature possessed by a representative sample of 7,812 seventeen-year-olds in public and private schools. The non-exhilarating findings were twice reported in September 1987: briefly by Lynne V. Cheney, chairman of the National Endowment for the Humanities which had funded the survey, and at length by Diane Ravitch and Chester E. Finn Jr. in "What Do Our 17-Year-Olds Know?"

On the history portion of the test, the average score was 54.5 percent correct and on the literature portion, 51.8 percent correct. That means, as Professors Ravitch and Finn reminded anyone not paying attention, that if 60 percent is taken as a passing mark, the "average student" flunked both tests.

The press, aiming like the Fat Boy in "Pickwick Papers" to make the flesh creep, highlighted the more spectacular misses: 68 percent of those questioned could not situate the Civil War within the correct half-century, and about a third thought Columbus had discovered the New World after 1750. Eighty-four percent could not identify Dostoevsky as the author of "Crime and Punishment," and 67 percent could not say in what part of the United States the novels of William Faulkner are set.

Alongside the N.A.E.P. reports, there are cries of alarm from indignant representatives of special interest. For example, in an October 1987 speech to the Detroit Economic Club, David T. Kearns, chairman of the Xerox Corporation, said his company expects "100 percent defect-free parts" from its suppliers. Then he made an unflattering comparison that amounted to an indictment: "The public schools are the suppliers of our workforce, but they're suppliers with a 50-percent defect rate. A fourth of our kids drop out [that is, before finishing high school]; another fourth graduate barely

able to read their own diplomas." The public schools, he added, are a "failed monopoly," and one result is that U.S. business and industry must each year hire one million workers "who can't read, write or count," and then spend \$25 billion annually teaching these innocents those basic skills.

A little more than a year later, Paul A. Volcker, former chairman of the Federal Reserve, was complaining about the danger of economic illiteracy. He presided over a press conference called to announce the results of a survey sponsored in the spring of 1988 by the Joint Council on Economic Education. The 8,205 high school students who took a multiple-choice test dealing with basic economic concepts did so poorly that Mr. Volcker, who did say that he himself had not studied economics in high school, concluded: "The news is not good if you believe that a basic understanding of our economic system is important if this country is indeed to be effective in what everyone realizes is a period of global competition."

Not that the young are reassuringly conversant even with highly publicized global affairs. During "America's Kids: Why They Flunk," an ABC-TV documentary broadcast Oct. 3, 1988, a scandalized Barbara Walters reported that nearly all the 200 seventeen-year-olds surveyed a week earlier knew who Michael Jackson is, but less than half could identify the Ayatollah Khomeini. One youth was game enough, however, to venture the guess that this might be a Russian gymnast. Mention of Chernobyl drew a blank with two-thirds of those questioned, although someone thought it was Cher's full name.

Of course, not all professional educators are unnerved by these lurid fragments. Mary Hatwood Futrell, an effective publicist who was president of the National Education Association from 1983 to 1989, has argued that a 1989 N.A.E.P. report, "Crossroads in American Education," was actually bracing because it showed that "Virtually all 17-year-old students in U.S. schools can add, subtract, multiply, and divide using whole numbers. They know basic science facts and principles. They've mastered the rudiments of reading."

But for high school seniors, these are hardly dazzling accomplishments, and Mrs. Futrell herself conceded that the same report makes it clear that "our schools are failing to educate most students beyond the basics." Moreover, the N.A.E.P. continues to rattle the public schools establishment with bulletins of gloom. In January of this year, for instance, it reported that a 1988 survey of 100,000 students ranging in age from 9 to 17 showed these subjects doing little better on reading and writing tests than did an earlier group measured in 1971.

In announcing these findings, Secretary of Education Lauro F. Cavazos concluded that the reading and writing skills of U.S. children continue to be "dreadfully inadequate." Then he continued: "If anyone still doubts that it is time for change at an elemental, fundamental level, these data should be persuasive. I have said it repeatedly, our educational system must be restructured. We need a revolution in teaching and learning."

The system, however, includes more than 15,000 local school districts, some large and some small, some urban and some rural, some rich and some poor. If the revolution has not yet begun, there is no chance that most of these districts will have been turned around by the year 2000.

Not enough money. Mr. Cavazos did not say what Democrats and professional educators are constantly saying more or less bitterly: The school revolution will require spending much more money at all levels of government. Most of the cost of public schooling will continue to be borne by the states and localities, but critics charge that the Bush Administration's education budget for fiscal 1991 is altogether too stingy.

"You can't become the education President," said Speaker Foley, "with all the problems we face by proposing a meager 2-percent increase in the education budget. That's a fact. And for all the talk, that's exactly what the President proposes to do." Marc S. Tucker, head of a think tank called the National Center for Education and the Economy, underlined the fearful social reality that ought to create far greater anxiety than low test scores: "The math and science goal is critical, but reaching it with 20 percent of our kids living in poverty is ludicrous."

A 1958 Rockefeller Brothers Fund report calling for excellence in education and thereby catapulting that word into the vocabulary of college presidents nationwide, admitted in a realistic moment: "All of the problems of the schools lead us back sooner or later to one basic problem—financing." Mr. Bush, however, finds this neither an agreeable nor a credible proposition. He does not think money is either the principal question or the indispensable answer in school reform.

A year ago this month, in a speech before education officials gathered from eight states in a school gymnasium in Union Township, N.J., the President noted that he had asked Congress to increase by \$441 million the \$21.9 billion that Mr. Reagan had requested for education in the 1990 budget. Then combining moralizing with politics, he added: "A society that worships money—or sees money as a cure for all that ails it—is a society in peril. And we must do more than wish we had more to spend. Because the challenge of education reform suggests something more fundamental than money. We already spend \$330 billion a year overall on education. That's more than we spend on defense."

That last sentence voiced one of Mr. Bush's favorite themes. In his speech to the governors at the education summit in Virginia last September, he claimed the United States "lavishes unsurpassed resources on schooling."

That claim was shredded by two economists, M. Edith Rasell and Lawrence Mishel, in an article for the Feb. 4 issue of *The Washington Post*. This was a summary of a report these researchers prepared for a non-partisan organization, the Economic Policy Institute, in which they compared U.S. expenditures for education in 1985 with those of 15 other industrialized nations.

It is true, these specialists wrote, that U.S. spending on all levels of education from preschools to universities "amounted to 6.8 percent of national income in 1985, putting us in a three-way tie for second place among the 16 developed countries studied. By this measure it appears that only Sweden spends a larger share of national income on education; Canada and the Netherlands spend equivalent amounts."

But that comparison is misleading. The United States spends far more on higher education than other nations do because it has a larger percentage of college-age youth enrolled in some form of post-secondary schooling. It is this outlay that raises the

total bill. But when it is a question of overall spending for public and private schooling from preprimary to Grade 12, the United States is tied for 12th place and drops to 14th place when expenditures are adjusted to reflect differences in enrollment rates.

Spokesmen for the Education Department promptly dismissed the Economic Policy Institute report as "bogus" and a mixing of "apples, oranges and moonbeams to produce an indigestible concoction." For his part, the President will certainly ignore an analysis that embarrasses his education policy. For instance, he uses the argument that the Federal Government cannot afford to spend more on schools to escape this political dilemma: how to maintain that he favors parental choice in education without at the same time proposing some constitutionally acceptable way of extending that choice to include private schools.

It is to the President's credit that he is not one of those politicians who conveniently forgets that in the United States there are two distinct but complementary school systems, the public and the non-public, each of which runs from the nursery class to the graduate seminar. Although the non-public system is small compared to the public, it is still impressively large in itself. In 1988-89, an estimated \$196 billion was spent for the education of the nation's 46 million elementary and secondary school students, of whom about 11 percent were enrolled in nonpublic schools. The public schools employed two million teachers; the non-public, 400,000—more people than there are in the state of Wyoming.

George Bush spent five years at one of the best known New England prep schools, Philipps Academy in Andover, Mass. When he returned there last autumn for an academic convocation, he said: "I loved those years." Even now, he went on, Andover's "lessons of honesty, selflessness, faith in God—well, they enrich every day of our lives."

He is not much interested, though, in helping middle- and lower-income families provide similar enrichment for their children by enrolling them in a non-public school of their choice. Practically speaking, his view of private schooling is aristocratic: You can have it, if your parents can pay for it.

At the White House in March 1989, he met with 75 high school students, and when one of these asked if the President thought families sending their children to nonpublic schools should receive a tuition tax-break, Mr. Bush replied: "No, they shouldn't. I've been intrigued with the concept of tuition tax credits and some say, well, should that include parochial schools? And I've said, yes, but the problem again is that we can't afford to do that. So I think that everybody should support the public-school system and then, if on top of that your parents think that they want to shell out, in addition to the tax money, tuition money, that's their right and that should be respected. But I don't think they should get a break for that."

There is no likelihood, then, that the Administration is going to revise its thinking and greatly enlarge the education budget. It is even less likely that it is going to advocate even a modest tuition-tax credit and thereby risk provoking Representative Augustus F. Hawkins, the California Democrat who is the veteran chairman of the House Education and Labor Committee and an unyielding opponent of any plan for aiding families who choose private schools. And although

Mr. Hawkins and his Congressional colleagues may give the President somewhat more than his education budget asks for, they will not call for any really substantial increases.

Neither will the states. As Michael de Courcy Hinds reported in a New York Times front-page story on March 4, more than half these states are facing revenue shortfalls and serious budgetary problems this year because the economy, as the carefully neutral phrase has it, is cooling down. In this chilly climate, most governors would not consider increasing state taxes, and they think the Administration has compounded their difficulties. The Democratic Governor of Connecticut, William A. O'Neill, told the Times reporter: "President Bush has said 'No new taxes' so often that people now honestly believe they can get all kind of services without paying for them."

Not enough determination. Since there is little use in lingering over the intractable question of funding, one might as well turn to Mr. Bush's observation that the challenge of educational reform implies something more fundamental than money. No doubt it does. For one thing, it raises the question of just what those critical subjects are to which the President alluded in his State of the Union speech, the ones that graduates must have mastered "to make sure our schools' diplomas mean something."

When he was Education Secretary, William Bennett answered that question by sketching the curricula of two ideal institutions that he called the James Madison Elementary School and the James Madison High School. For these imaginary places he outlined a stiff academic program in seven areas: English, Social Studies (history, geography and civics), Mathematics, Science, Foreign Language, Fine Arts and Physical Education/Health.

Mr. Bennett's recommendations usually created a racket in public school officialdom, but these blueprints were not controversial because most schools claim they are already teaching these subjects. Indeed, the governors of the states at their February meeting announced that by the year 2000 students will be expected to demonstrate, at the fourth, eighth and 12th grade levels a mastery of such disciplines as English, mathematics, science, history and geography.

If the governors took those measurements this year, however, they would find that although every sizable public school system offers all these subjects, it does not offer equal portions of them to every student. In large high schools, only those sauntering along the college preparatory track follow the full program that Mr. Bennett's dream school would prescribe for everyone.

As though this were not discouraging enough, Mr. Cavazos said at a news conference last May that approximately 3,600 young people drop out of school on an average class day. Moreover, if those National Assessments are reliable, many who do finish 12th grade have not learned as much as their elders would have hoped—although they may have learned as much as those elders themselves did.

Predictably enough, there is professional squabbling about the responsibility for this low state of academic affairs. According to a survey made last year by the Carnegie Foundation for the Advancement of Teaching, college faculties accuse the lower schools of sending them "inadequately prepared" students. A year earlier, however,

the same foundation polled 20,000 public school teachers across the country and learned that 90 percent of them blamed parents for not giving schools sufficient moral support.

Those teachers' complaints may be justified. There is no hard evidence that the U.S. public is much interested in a school revolution, even a limited one. In Britain a few years ago, Sir Rhodes Boyson, a Conservative M.P. with a background in education, said: "I would close any school where most of the children were not reading by the age of seven." In the United States, no school board would talk so roughly. Even mildly innovative steps, like denying a driver's license to high school students who are under 18 and not in good academic standing, have stirred outraged protests, and not just from aggrieved teen-agers.

Of course, hundreds of schemes for piecemeal reform have been proposed, although not widely adopted. There are, for example, proposals for giving teachers more control over schools or for luring businesses and industries into cosponsorship of experimental plans. There are suggestions for modest curricular increments. Two months ago, for instance, New York State's Education Commissioner, Thomas Sobol, announced rather vaguely that he intends to revise the history and social studies curricula in the state's public schools so as to give more attention to the "ethnic, cultural and linguistic differences" in the United States and specifically to the contributions of African Americans and Latin Americans.

There is also talk of instituting a national curriculum, a step Great Britain is currently taking. This would not mean surrendering the principle of local control of public schools, but only of asking these schools to follow a standardized curriculum and to measure the effectiveness of their teaching by administering standardized national tests. Last year, the annual poll of the public's attitudes toward public schools that the professional education fraternity, Phi Delta Kappa, sponsors found that impressive majorities of those questioned were in favor of these innovations.

A national curriculum is unlikely to be adopted, however, except on a voluntary basis, and to require it of all students might provoke riots. In any case, no polls have shown a public demand for transforming rather than simply adjusting the present school system. It could not be otherwise. Schools exist to pass on a people's way of life. They cannot change greatly until the society they reflect and serve is ready to change itself. So far there is no sign of any such national determination; there scarcely could be in a country of 250 million people.

What Gertrude Stein said about Picasso may apply here with melancholy precision: "To complicate things in a new way, that is easy, but to see things in a new way, that is really difficult, everything prevents one: habits, schools, daily life, reason, necessities of daily life, indolence, everything prevents one, in fact there are very few geniuses in the world."

Perhaps then there will be no major reforms in American life, politics and education until some geniuses appear who can inspire their fellow citizens without subjugating or mesmerizing them. Until that unlikely event, the doubt voiced by The Tablet's Mr. Lieven will probably remain unresolved.●

THE FIRST BAPTIST CHURCH OF BOSTON, MA

● Mr. KERRY. Mr. President, I rise in recognition of the First Baptist Church of Boston, MA, which is celebrating its 325th anniversary this year. The First Baptist Church, founded in 1665, was the third church of any kind in the Boston area.

The First Baptist Church has a distinguished history of perseverance in fighting for religious freedom and tolerance in the State of Massachusetts. It has lasted despite many bouts of intense persecution in its early years. The church was established in complete defiance of the Bay Colony laws. Once the church even found its doors nailed shut. Its parishioners suffered harassment, humiliation, long trials, imprisonment, and in some cases, premature death and exile. Among some of the more notable people who have attended Sunday services were President John Adams and Gen. Henry Knox. John Hancock, though not a Baptist, rented a pew in the church to hear the oratory of the church's pastors.

The ministry of this church was the first to establish a Baptist missionary society, a seminary for the training of Baptist ministers, and was believed to have started the first infant Sunday school. The First African-American Baptist Church in Boston was able to build its congregations from the many African-Americans baptized at the First Baptist Church.

This historic old church conducts many outreach programs and continues to play an active role in the lives of the people of Boston. We wish them the best in their continued service to their congregation and to the values which they exemplify as they embark on their 325th year of service.●

NAM: 15 YEARS LATER

● Mr. SIMON. Mr. President, I have been catching up on my reading and read the stories in Time magazine of April 30, 1990, regarding Vietnam. They are insightful and should cause some thoughtful reflection on our policy.

Insofar as the government of Vietnam is cooperative, on the question of those missing in action and prisoners of war and is showing greater sensitivity on the issue of human rights, we ought to be responding to Vietnam.

I know that our colleague from Arizona, Senator JOHN MCCAIN, who was a prisoner of war, feels very strongly on this and has provided leadership on this question.

For those who wish to gain more insights, I urge them to read the articles in Time magazine by Paul A. Wittman, Michael Duffy, William Stewart, and Stanley W. Cloud.

These articles should be helpful to American policymakers in deciding

what we do in Vietnam and Cambodia. I ask that they be printed in the RECORD at this point.

The articles follow:

NAM—15 YEARS LATER

(By Paul A. Wittman)

Twenty-three years after the fact, Denny McClellan's recurring dream is still vivid. Once again he is 18, back on patrol ten miles northwest of Danang in the company of equally wary, heavily armed grunts of the 2nd Battalion, 7th Marines. His M-16 is loaded for Charlie, and a couple of grenades are within easy reach in his flak jacket. His field pack weighs 40 lbs., and the day is surprisingly hot. The lance corporal his buddies call "Red" is sweating heavily. His squad leader, not much older than McClellan, gives a hand signal, and the patrol moves off the road and down a narrow trail. Just the beginning of another very long day in the Republic of Vietnam. Says McClellan, now a 19-year veteran of the San Francisco police force: "I remember individual days there in perfect sequence like it was yesterday."

If not yesterday, last week. Or was it last month? Certainly it can't be 15 years since the U.S.-supported regime folded like a pup tent and the remaining American Marines executed what the tactical instructors at Quantico euphemistically called a "retrograde movement" from the roof of the fortress-like U.S. embassy annex. Today chickens run helter skelter through the American compound.

But the U.S. has not extracted itself from Vietnam. From the Deer Hunter and Platoon to Born on the Fourth of July, interpretations of the war continue to be big at the movies. Television has China Beach, the award-winning series about a rest and relaxation center in Danang. The London hit show Miss Saigon, a musical about a doomed romance between a Vietnamese bar girl and an American soldier, will be coming to Broadway next year with seats costing as much as \$100. Bookstores are filled with memoirs, histories, reprints and novels. This spring Harper & Row even published The Vietnam Guidebook, with advice for travelers to places like Hue and My Lai, although the U.S. State Department places restrictions on such excursions. Courses on Vietnam are staples of college curriculums.

The war festers like a canker in the minds of many of the 2.7 million Vietnam veterans and the 750,000 Vietnamese who live in the U.S. The 3,600 members of National League of Families of American Prisoners and Missing in Southeast Asia still believe there may be loved ones locked in prisons hidden somewhere in the impenetrable Annamese Cordillera. What-might-have-been gnaws at some of the draft dodgers who fled to Canada or into the National Guard. Certainly the war prompted career choices for young men who joined the Peace Corps or enrolled in graduate school to stay out of the Army.

For the families of the 58,022 U.S. servicemen and women who died in Indochina, the war continues as a dull ache, a pain shared by the kin of the millions of Vietnamese killed on both sides. For most other Americans, Vietnam is as much a mystery as it was 25 years ago, when apprehensive Marines in full battle gear first waded onto the beaches near Danang. But the mystery has long been stripped of its innocence and is shrouded instead in guilt and recrimination.

Some of the bafflement arises from a curious inability to come to terms with a failed policy, with America's greatest military defeat. But it is also due to the continuing attitude of the U.S. Government. Fifteen years after U.S. Ambassador Graham Martin slipped away in the predawn darkness of a collapsing Saigon, the U.S. has yet to establish diplomatic relations with the government of Vietnam. Washington continues to act as if Hanoi had sent its troops to invade Virginia instead of down the Ho Chi Minh Trail. Since 1975, the U.S. has imposed a trade embargo against Vietnam that has been more effective than the mining of Haiphong harbor ever was. It has helped keep Vietnam's badly managed economy on its knees, which in turn has encouraged a steady flow of refugees to Hong Kong and Malaysia.

Three Administrations in Washington have insisted that Vietnam meet several conditions before diplomatic or commercial relations can return to normal. All Vietnamese troops must be permanently withdrawn from Cambodia and a peaceful settlement must be reached in that ravaged land. The roughly 15,000 Amerasian children (now young adults, like many of the children of the MIAs) must be allowed to leave Vietnam if they wish, and political prisoners freed from reeducation camps. Questions about the remaining POW/MIAs should be resolved. So runs the checklist of U.S.-Vietnamese policy, as it has for much of the past decade. Hanoi insists that it has met the conditions. Although progress has been made on all of these issues, Washington is not yet satisfied.

Either way, a sizable number of Americans are saying the time has come for a different course of action. In a poll for Time/CNN by Yankelovich Clancy Shulman, 48% of those questioned said the U.S. should re-establish relations with Vietnam; 32% are opposed. Vietnam veterans seem to agree: of the 208 vets surveyed for Time/CNN at the Vietnam memorial, 44% said the U.S. should open an embassy in Hanoi.

"Of course we should establish relations," says Rob Pfeiffer, a high school counselor in Oakland, ME. "We're pretending Vietnam just doesn't exist." An official in the Maine chapter of Veterans for Peace, Pfeiffer says his fellow members support recognition as a means to gain more on-site information about the effects of Agent Orange. "Open it up," says McClellan. "If we established relations with China, why not with Vietnam?" Former antiwar activist Anne Weills, who created a furor in 1968 when she went to Hanoi with a delegation that brought back three American prisoners, comes to the same conclusion from a different perspective. "We owe Vietnam a great debt," says the Berkeley attorney. "Americans have a role to play in the reconstruction of Vietnam because we had such a large role in destroying it."

Weills' view is not widely shared: in the Time/CNN poll, 80% say the U.S. does not owe Vietnam anything. Nor is the push to establish full diplomatic relations generally embraced by the Vietnamese who escaped in 1975 or have fled in flimsy boats since then. "The U.S. should not normalize until the Vietnamese government guarantees human rights," says Phac X. Nguyen, advertising manager of a Vietnamese-language newspaper in San Jose. "They lowered people to the life of animals."

Antipathy toward the regime in Hanoi is highest in the ranks of South Vietnamese rangers and paratroopers, many of whom

have settled in California. In a speech in San Jose early this month, former President Nguyen Van Thieu, now living in London, suggested that if political changes are not forthcoming in Hanoi, the refugees should be prepared to head home, shoulder weapons and seize control again.

The passion in the Vietnamese exile community is a puzzle to many Americans. That is no surprise to Phuong Dai Nguyen, a sophomore at the University of California, Berkeley, whose family fled Saigon in 1975: "The Americans don't know much about the Vietnamese." Yet the same has been true of the Vietnamese government's inability to fathom the importance to the U.S. of the POW/MIA issue. Fully 62% of those polled by Time-CNN and 84% of Vietnam veterans—believe there are still MIAs alive in Vietnam.

"There is no logic to this," says Douglas Pike, a retired State Department analyst who assiduously read accounts of every reported MIA sighting but was never able to come up with verification by a second source. A resident of northern Vietnam, released after 13 years in re-education camps, is equally incredulous. "Americans? There are no Americans here. I never heard of any." The Vietnamese people long ago gave up looking for their own missing. Bodies decompose quickly in the subtropical climate. Although no U.S. official will say so publicly, the widespread conviction that there are no more live Americans.

Still, the National League of Families issues regular status reports of sightings on a hundred or so of the 2,303 men listed as missing in action or unaccounted for in Vietnam, Cambodia and Laos. Since a Japanese lieutenant hid on a Philippine island for 30 years after World War II before surfacing, anything is possible. But it is more likely that any Americans still in Vietnam remain there for conjugal reasons and have led retiring lives. Either that or the people sighted were really East Europeans or the now grown Amerasian offspring of former G.I.s.

Because issues surrounding the war are so emotionally charged even now, some people counsel continued caution in dealing with the government of Vietnam. "Any improvement has to be gradual," says Republican Senator John McCain of Arizona, who spent 5½ years in a North Vietnamese prison after his Navy attack bomber was shot down over Hanoi in 1967. "Below the surface, there is a very strong anti-Vietnamese feeling. When you get down to the V.F.W. halls, the American Legion halls, these people still have the feeling that the U.S. was damaged and humiliated in that conflict." Nonetheless, says McCain, who in the past has favored legislation for reopening ties to Vietnam, "it is in our interest, over time, to have an improvement in relations."

A similar assessment comes from a senior Bush Administration official who follows Vietnam closely. "I don't think having a society that is armed to the teeth and poor to boot is good for the region," the official says. "Our long-term interest is in the peace and stability of the Southeast Asian peninsula." For its part, the Vietnamese government sees the Soviet presence fading in the region and wants renewed American involvement as a counterweight to growing Chinese influence. Two years ago, Hanoi floated a proposal to let the U.S. military reoccupy its former bases in Cam Ranh Bay and Danang. This month, following reports that the Soviet navy was scaling back its forces in Cam Ranh Bay, the Vietnamese repeated the offer. The Vietnamese would benefit

from the dollars flowing into their economy from the bases. The U.S. would regain the use of facilities that the Pentagon loudly bemoaned losing and in turn would gain invaluable leverage in the ongoing negotiations with the Philippine government over renewing the leases at Subic Bay and Clark air base. It could be what Pentagon planners call a "win-win" scenario.

Strategy aside, there is a more humane reason for recognition. American involvement in Indochina was more than just an exercise in global strategy. The desire to help people preserve their freedom and improve their lives was an important justification for committing U.S. soldiers to battle. The lingering pain of Vietnam is due, in part, to the realization that the idealism turned sour. For the half-million Vietnam vets suffering from post-traumatic-stress disorder and even for those who have adjusted well, a U.S. return to Vietnam might ameliorate the sense that America left a job unfinished. McClellan puts it this way: "Every time we walked down that road at the beginning of a patrol, we turned off. I've always wondered what was around the next bend. I want to go back before I get too old, and walk around that bend to see what's there. Then maybe I'll be able to put Vietnam to rest."

A WAR ON POVERTY

(By William Stewart)

HANOI.—The scene is far more grim than anything portrayed in the decrepit U.S. veterans hospital in Born on the Fourth of July. In a forgotten corner of Ha Bac province, about 40 miles from Hanoi, 200 Vietnamese army veterans, many paralyzed from the waist down, eke out their lives in a primitive government shelter. Tucked away from the nation's gaze, they are among more than 10,000 severely wounded veterans from the four wars Vietnam has fought since 1945. An additional 300,000 disabled soldiers are scattered throughout Vietnam, doing the best they can without the help of the government. In wheelchairs, the ex-soldiers at Ha Bac move quietly among the low-slung buildings, a poignant and disturbing sight.

Like their American counterparts, the patients at Ha Bac are both proud and reticent, resigned to their wounds, sometimes angry, often confused. Says Vu Trung Hien, 43, paralyzed since 1968 by a shrapnel wound in the back sustained in Phuoc Long province: "I did my duty. But after I was wounded, I wondered if the war was right or wrong. It cost so much. I still wonder." His roommate, Hoang Dinh Trung, 39, was similarly disabled in 1972 in Quang Tri province during a B-52 raid. "I was only 18 when I was mobilized," he says. "Looking back to wartime, it was awful. Really awful. I'm afraid of any more wars." When told that many American veterans share his feelings, he says tentatively, almost shyly, "I'd like them to come see us, to see how we live."

The voices of disabled Vietnamese soldiers are only a small echo of the sometimes hopeful but often disenchanted and uncertain views voiced everywhere in Vietnam. Fifteen years after the fighting ended on April 30, 1975, the country remains impoverished and embittered. While it has been at peace since most Vietnamese troops left Cambodia last September, there is great discontent over living conditions and an annual per capita income of less than \$200, far below that of South Vietnam in 1975. Last year 75,000 boat people set sail for the refu-

gee camps of Hong Kong and Southeast Asia, attempting to escape not so much an oppressive regime as grinding poverty. Free-market economic reforms begun in 1986 have sparked a revival in the cities, but they have yet to improve living standards in the countryside, where 80% of Vietnam's 65 million people still live.

The moves toward a market economy have been hobbled by Vietnam's economic and diplomatic isolation. Hanoi and Washington have long disagreed on how to restore relations, and the U.S. strengthened a 1975 trade embargo following Vietnam's 1978 invasion of Cambodia. Other industrial countries, including Japan, are waiting for a U.S. lead before committing themselves to major trade and investment. Meanwhile, the Soviet Union has served notice that it will drastically curtail the aid it has provided in the past, especially fertilizers, structural steel and critical oil supplies.

North and South were formally united in July 1976, but for all practical purposes Vietnam still consists of two countries. According to Nguyen Xuan Oanh, twice acting Prime Minister of South Vietnam and currently an economic adviser to Hanoi, the economic infrastructure in the South remains about 35 years ahead of that in the North, despite great efforts to bridge the gap. The differences are immediately apparent between Hanoi and Ho Chi Minh City, which is still called Saigon, even by local officials.

Hanoi, with a population of 3 million, has retained its architectural integrity as a once lovely French colonial capital. The city was scarcely damaged by U.S. bombs. But the roads and bridges are dilapidated and marred with potholes, and haphazardly repaired electrical lines have made firetraps of many public buildings. Although Vietnam has designated 1990 the "Year of Tourism," Hanoi hardly boasts a hotel worthy of the name.

Yet there is a liveliness about the city, an authenticity as a national capital that somehow always eluded Saigon. May 19 marks the 100th birthday of Ho Chi Minh, the man who fought the Japanese, the French, the Americans and his own countrymen to win an independent, unified nation. For the past month, Hanoi has played host to thousands of visitors, foreign and Vietnamese alike, as they paid homage to the frail man with a will of iron. The pilgrims move slowly past Ho's body lying on a glass-enclosed platform in the neo-Stalinist marble mausoleum, stopping only for a short, formal bow.

Outside, Hanoi's narrow tree-lined streets are filled with bicycles and pedicabs, for private cars are a rarity in the city. In the busy market area, customers crowded into a tiny but popular café that serves white coffee with a whipped raw egg to help ward off the pervasive dampness of the rainy season. Around the corner on Hang Gai Street, shoppers wander past privately owned clothing and novelty shops that are little more than window fronts. Nevertheless, they are the busiest stores in Hanoi. One of them is owned by Dao Thi Huan, 71, a retired government worker. For her, life is much better than it was even five years ago, though she feels that living standards are still low. The long war is a receding memory. "In the past I was angry, but not now," she says. "It's over. I gave up my anger." A few doors away sits Ngo Thanh Binh, 26. A university graduate with a degree in economics, Binh has been unable to find a job. To make ends meet, he works in his parents' shop selling jeans. "It's been

very difficult for me to get a job as an economist," he says. "I need to know more English because our country is in an opening, developing stage. We need ever more openness."

The budding economic energy has spread even further north. Six thousand people a day cross the Chinese border at Dong Dang. Going into China, they take mostly local foodstuffs; returning, they bring Chinese machine tools and kitchenwares carried on their backs, the heavy packages balanced at either end of a bamboo pole. The goods are modern, but silhouetted against the sky, the endless stream of peasants, workers and merchants is a scene from timeless Asia.

A thousand miles to the south, Ho Chi Minh City basks in the hot sun at the end of the dry season. But the difference is more than a matter of weather. Roads are in better repair, and the streets are clogged with motor-scooter and automobile traffic. New hotels and fresh paint are everywhere as the city asserts its claim to be the home of Vietnam's indomitable entrepreneurial spirit.

Anchored in the Saigon River is the Saigon Floating Hotel, offering single rooms at \$150 a night and a BLT sandwich—"Ho Chi Minh-style"—for \$8.50. It is crowded with Hong Kong, Singaporean and European businessmen. On Dong Khoi Street, the Continental Palace Hotel has undergone a complete renovation. The famous "Continental shelf," once an open-air terrace where American journalists and government officials camped out, is now enclosed and air-conditioned. The Rex, formerly a U.S. Army billet, has reopened as a luxury hotel, and the Majestic, facing the Saigon River, has been spruced up. The hotels take only hard currency.

In the past year the city has encouraged the opening of "mini-hotels" for Vietnamese visitors. The managers are often enterprising city employees eager to make more money. Says Nguyen Cong Ai, vice chairman of the local People's Committee: "Our private economy is much stronger now. We are learning the lessons of the market. We want to cooperate with foreign cities, to be an open door for Vietnam." Metropolitan Saigon has a population of 3.9 million. The port itself and textile and garment manufacturing are the city's biggest industries.

The revival is attributable almost entirely to Vietnam's own *perestroika*, or *doi moi*, a program of radical economic "renovation" begun in 1986. Says Le Dang Doanh, a senior government economist and a principal architect of the program: "Vietnam does not consider Marxism to be holy dogma. We need to be creative." Only a few years ago, the state accounted for close to half of national income. Now it generates only 28% of national income, Doanh notes, while private enterprise makes up 40% and the remainder is a mixture of public and private ventures. The reforms include the abolition of subsidized prices and the reorganization and separation of commercial banks from government banks. The state has also adopted a favorable foreign-investment law and changed investment policy to assign top priority to food production.

Although all land is owned by the state, a revised contract system between farmers and government cooperatives gives individual farmers control of the land and production for 15 to 30 years. Farmers grow what they want and sell at the market price. Largely as a result, Vietnam has become the world's third biggest rice exporter, after Thailand and the U.S. The turnaround is re-

markable, given the near famine conditions that existed in the spring of 1988 in parts of central and northern Vietnam. A further indication of improved conditions in the North is the sharp reduction in the numbers of boat people arriving in Hong Kong, down from almost 1,800 in March 1989 to 730 in the same month this year.

Meanwhile, the annual inflation rate has been cut from 700% in 1988 to 50%. The goal, says former Prime Minister Oanh, is to bring it down to about 12% to 15% by year's end. This has been done through tough austerity measures, part of a stabilization plan carried out in cooperation with the International Monetary Fund. The dong, Vietnam's currency, has stabilized at a black-market rate of about 5,000 to the dollar, not far from the official rate of 4,500. Still, in the past two years foreigners have invested only \$850 million in Vietnam, most of that in offshore oil exploration.

Given these problems and challenges, it is not surprising that the Vietnamese leadership has been alarmed by the startling and rapid changes in Eastern Europe. But political reforms were emphatically rejected earlier this month in a closed session of the 8th plenum of Vietnam's Communist Party. While the plenum promised to revitalize the party's frayed relations with the people, it also fired an outspoken liberal member of the Politburo, Tran Xuan Bach. That leaves only one liberal in the 13-member ruling body, Foreign Minister Nguyen Co Thach.

To make up for losses in Soviet aid, China has reportedly offered to provide Vietnam with \$2 billion in assistance. In return, Beijing is said to have demanded assurances that the Vietnamese will launch no Gorbachev-style political reforms.

Vietnam has seen no major public demonstrations for greater democracy, though there has been a lively debate in some of the state-controlled press and among academicians and trade unions. In part this may be because Hanoi has ruled with a lighter touch than Beijing. Says Tran Phuoc Duong, the American-educated rector of Can Tho University, deep in the Mekong Delta: "Something has happened. There has been a lot of internal relaxation. The pace of change has taken people by surprise."

Tran Bach Dang, a political adviser to General Secretary Nguyen Van Linh, told a group of foreign reporters that if pluralism were allowed tomorrow, there would be 200 political parties the next day. Notes a senior government official: "Factionalism has been the bane of our national existence. We are still two countries, though I fought to make it one."

The weight of Vietnamese history indicates that the official is right. Nevertheless, there is more to celebrate in Vietnam than the 100th birthday of Ho Chi Minh. Vietnamese in the North and South alike are beginning to hope their country can transcend its old divisions and enter a new age of prosperity. In Hanoi, Nguyen Van Su, 75, sits in front of his sewing machine in his own little shop. Says he: "I remember when Ho Chi Minh declared independence. We all liked it. Now the government is calling for reform. I like that too. It's the direction the whole world is moving in, isn't it?"

"IT'S TIME TO HEAL THE WOUNDS"

Vietnam's Foreign Minister, Nguyen Co Thach, spoke in Hanoi with Time's Washington bureau chief, Stanley W. Cloud. Excerpts:

Q. Is anything going on between Vietnam and the U.S. that we don't know about?

A. Up to now, we have met all the requirements of the U.S. [on MIAs, family reunification, human-rights abuses in the re-education camps]. But in the State Department there is no change. For example, I am not allowed to go beyond 25 miles of New York City when I am in the U.S. [retired General John] Vessey can come here and go everywhere. American Congressmen are free to go everywhere in Vietnam.

Q. Does the situation in Cambodia interfere with the normalization of relations between Vietnam and the U.S.?

A. The Cambodian problem serves only as a pretext. The greatest mistake of the U.S. is not the Vietnam War. It is this strategy of using Vietnam as a pawn in the relationship between China and the U.S. It would be much better if the U.S. considered Vietnam in terms of its intrinsic value.

Q. What would be the main benefit to the U.S. of normalization?

A. Why can the U.S. have good relations with the Soviet Union and China and not with small [Communist] countries? This is not good for the image of the U.S. in the Third World.

Normal relations between the U.S. and Vietnam could contribute to peace and cooperation in Southeast Asia and to maintaining the independence of this area vis-a-vis China.

Last but not least, it is time to heal the wounds of war. I don't mention the physical or the mental wounds, but the moral ones. As long as this state of abnormal relations drags on, the moral wounds will bleed. It is time to sit down and talk and play and have fun. Why only hostile attitudes? When I meet the people from the State Department, their faces never smile. It is a pity. We could help you have good health and good morale.

STILL A KILLING FIELD (By Stanley W. Cloud)

In a spacious and sunny Washington office, an anonymous senior Administration official sits and discusses U.S. options in Indochina. "The simplest approach in Cambodia," he theorizes, "is to let the military situation play itself out."

On the other side of the globe, in a military ward of a hospital in the Cambodian town of Kampong Spoe, 25 miles southwest of Phnom Penh, a soldier named Neh Kon, 30, lies on a wooden pallet. He has lost both legs—one just above the knee, the other just below. The stumps are wrapped in fly-specked, blood-soaked bandages. Neh Kon's wife sits beside him, holding their young child. Two weeks earlier, on patrol in Khmer Rouge territory, Neh Kon stepped on a mine. "By the time we get peace," he says, "a lot of people won't have legs."

In another ward of the same hospital lies a civilian woodcutter named Top Sakhan, 44. He is the father of a boy, 10, and a girl, 7. A week before, Khmer Rouge guerrillas jumped him in a nearby forest. For no particular reason, they shot him in both legs with an AK-47 and left him lying there. "I called after them. 'Why don't you kill me?'" Top Sakhan says. "But they didn't answer." Doctors saved his right leg and amputated the left. "His life is finished," whispers the hospital administrator.

This is what is meant by letting the military situation "play itself out." Such cool foreign-policy analysis rarely takes into account the suffering of people like Neh Kon and Top Sakhan. Nowhere is this truer than

in Cambodia, whose modern misfortune has been to act as buffer and bargaining chip to nations more powerful than itself. Like Blanche DuBois, modern Cambodia has always depended for its survival on the kindness of strangers—and the strangers have not always been kind. While diplomats negotiated their shameful and shameless deals, Cambodians were paying a fearful price: hundreds of thousands died between 1970 and 1975, when Cambodia became a theater of the Vietnam War, a million or more (out of a population of 7 million) in the Khmer Rouge's ensuing four-year reign of terror.

The Vietnamese occupation of Phnom Penh in 1979 forced the Khmer Rouge from power and replaced them with a pro-Hanoi and pro-Soviet government currently headed by Prime Minister Hun Sen, 39, a poorly educated extraordinarily bright former Khmer Rouge officer who lost an eye during the 1970-75 Cambodian war. Since that government took office, the toll in the country has been markedly lower: a few dozen or so limbs and lives lost each week as the deposed Khmer Rouge and other Cambodian factions—each representing combinations of outside support—fight to regain power. Vietnam ostensibly withdrew the last of its 150,000 troops in September, but attempts to negotiate an end to this new war are stymied, and the violence has escalated.

Moreover, it is not true that Vietnam has completely left Cambodia. A well-informed intelligence source in Indochina acknowledges that several hundred Vietnamese military advisers are still attached to Hun Sen's army, as are two understrength Vietnamese regiments of about 1,000 troops each. Two Vietnamese-speaking soldiers in Cambodian uniforms were aboard a recent flight from Phnom Penh to the provincial capital of Seim Reap, and interviews with residents there confirmed that many Vietnamese-speaking troops are assigned to government units in the area.

But that is a far cry from the armored units that had been fighting in Cambodia. Even with a lingering Vietnamese presence, the Hun Sen government is basically on its own at last. Although the government's international isolation continues—only the Soviet Union, its allies and India confer full recognition—Hun Sen's record so far is pretty good. On the battlefield, government troops have rolled back most of the border-area gains made by rebel forces earlier this year. And despite rising public anger at official corruption, political and economic reforms on the Vietnamese model have had a dramatically positive effect.

Phnom Penh, once the loveliest capital in Southeast Asia, looks dusty and exhausted after years of war and atrocities, but it is beginning to regain some of its old spirit. Rice and other foodstuffs are fairly plentiful again in the large central market, as are Heineken beer, gold jewelry and Casio calculator. Prices tend to fluctuate with rumors of peace. But, says Le Hor, a proprietor at one of the market's stalls, "here we are relatively safe and don't think the Khmer rouge are dangerous." Then he adds, "I'm not sure they feel so confident in the [western] border areas."

The farther one gets from the capital, the more the picture darkens. A lack of proper irrigation machinery severely limits rice production. On Route 1, in the arid border area between Vietnam and the Mekong river, there is virtually no fighting, but poverty is so acute that beggars line the road

and try to flag down the occasional passing car. The area just to the north is more prosperous, but government troops at checkpoint along Route 7 often demand money or cigarettes from travelers for permission to continue on a road that is in such disrepair as to be all but impassable anyway. To the south, west and northwest of Phnom Penh, reminders of the never ending war are abundant. Not long ago, a handful of adventure-some American tourists at the fabled Angkor Wat ruins in the northwest were startled to see an army truck speed by, carrying wounded from the front in Oddar Meanchey province, a Khmer Rouge stronghold only about 35 miles away.

How does the U.S. Government fit into this mixed picture of revival and suffering? Unfortunately, in Cambodia now as in the past, the U.S. is part of the problem, not part of the solution. During the 1960s, American diplomats used to belittle the attempts by Cambodian leader Prince Norodom Sihanouk to keep his country out of the Vietnam War. They also criticized Sihanouk's enforced willingness to look the other way while North Vietnamese troops used his border areas as sanctuaries and staging grounds for attacks into South Vietnam. In 1969 the Nixon Administration began the secret U.S. bombing of the sanctuaries. Then in April 1970 it joined South Vietnam in an invasion to clean them out. Just before the assault, Sihanouk was overthrown by a pro-U.S. junta led by Prime Minister Lon Nol, and Cambodians were suddenly engulfed in war against North Vietnamese and their then allies the Khmer Rouge, while U.S. bombs rained from above.

Within two years, the Lon Nol forces were plainly losing. The Khmer Rouge captured Phnom Penh on April 17, 1975, two weeks before the fall of Saigon. Under the insanely radical policies of Communist Party Secretary Pol Pot, the new government began butchering its own citizens. The xenophobic Pol Pot also made territorial demands against Vietnam and ordered attacks on Vietnamese villages. Faced with all this, Hanoi invaded Cambodia and overthrew the Pol Pot regime on Jan. 7, 1979.

China's leaders, staunch backers of the Khmer Rouge, saw the invasion as an attempt to extend Vietnamese and Soviet "hegemony" over the rest of Indochina and thus box them in. Vowing to teach Hanoi "a lesson," they sent 85,000 troops across the border into Vietnam on Feb. 17, 1979. After ferocious fighting, the Chinese withdrew 16 days later, but it was unclear who had taught whom a lesson.

Meanwhile, the Carter Administration, determined to normalize relations with Beijing, denounced Vietnam's invasion but only task-tsked the China's (which National Security Adviser Zbigniew Brzezinski privately applauded). Most startling of all for an Administration that championed human rights, the State Department, in its anger at Vietnam, recognized the legitimacy of the Khmer Rouge's claim to Cambodia's U.N. seat.

That remains U.S. policy today. When the Khmer Rouge in 1982 allied with two less powerful, noncommunist rebel groups (one loyal to Sihanouk, the other led by aging Cambodian democrat Son Sann), Washington extended recognition to the umbrella organization. The U.S. also provided "non-lethal" aid to the noncommunist members of the coalition. The U.S. thus lies up with China and the Association of South East Asian Nations (led in this case by Thailand) against Vietnam and the Soviet Union.

The current U.S. position is based on what a senior Bush Administration official calls "three fairly simpleminded propositions": the demand for complete withdrawal of Vietnamese forces, opposition to the Khmer Rouge's return to power, and calls for free elections to determine a new government. The U.S. argues that Hun Sen's government is illegitimate because it was installed by force and because Hun Sen and his President, Heng Samrin, were Khmer Rouge officers who did not desert until Pol Pot began devouring his own followers. Yet Hun Sen's government, while still nominally communist, has shown no Khmer Rouge tendencies in eleven years and has significantly broadened its base to include representatives of virtually all political persuasions.

The problem with the U.S. position is that its various parts don't mix. How, for example, can Washington recognize the Khmer Rouge as legitimate, if tainted, participants in the political process while also insisting that they must be prevented from returning to power? If Pol Pot and other top Khmer Rouge leaders are guilty of genocide, shouldn't they be excluded from all negotiations—and even be tried as criminals? How can the U.S. criticize the Khmer Rouge's record and yet reserve its bitterest invective for Vietnam's use of force to oust Pol Pot?

The illogic of the U.S. position has infected the entire peace process. No one wants the Khmer Rouge to return to power, but their military strength, many believe, makes them impossible to ignore. Various highly complex peace proposals have been offered by the governments of Australia and Thailand, and by the U.N. Security Council. Under some of these plans, the Khmer Rouge would even be permitted to serve in an interim coalition, pending elections. In all of them, Pol Pot's party has been given effective veto power—with predictably results. A peace conference in Jakarta earlier this year failed basically because of Khmer Rouge opposition. Says Cambodia's Deputy Foreign Minister, Sok An: "If the international community continues to allow the Khmer Rouge to thwart the will of the conference, then we cannot have an agreement."

Is there no other way? Many think there is, including former Carter Administration Secretary of State Edmund Muskie. "It is time to change U.S. policy," said Muskie recently. He suggested direct contact between the U.S. and the Hun Sen governments, an end to Washington's "implicit" support for the Khmer Rouge, and separate verification of Vietnam's withdrawal as first steps toward a long-term political solution. This would shift the U.S. focus away from the rebel coalition that includes the Khmer Rouge and would require the U.S. to abandon its unyielding opposition to Hun Sen. As Muskie put it in a speech last December, "When we finally left Vietnam, we opened the way for the historic conflict between Vietnam and China to re-emerge. Vietnam went on to invade Cambodia, and China invaded Vietnam. In these conflicts, we took the side of China. Now that phase of their history, and of ours, is over. Or, at any rate, it will be over once we are prepared to let it be."

Conditions seem right for the kind of reassessment Muskie recommends. But would the Bush Administration be willing to risk political flak, particularly from the right, if it seemed to be moving toward normalization with Cambodia, let alone Vietnam? The answer to that question will go a long way toward determining whether the bones will

continue piling up in Cambodia's killing fields.●

EXPORT CONTROLS

● Mr. KERRY. Mr. President, American exporters won a double-header yesterday in their efforts to modernize Cold War export controls. Late last evening, following nearly twelve hours of debate, the House of Representatives overwhelmingly adopted, 312 to 86, the Export Facilitation Act to modernize and streamline the United States and multilateral export control regimes. On the other side of the Atlantic, the U.S. delegation to the high level Cocom meeting in Paris unveiled a new proposal to liberalize restrictions on telecommunications shipments to Eastern Europe and the Soviet Union. Both events mean more jobs and more exports for the people of Massachusetts.

I am particularly pleased by the House action. In a series of votes, the House strongly endorsed all of the provisions contained in my export control reform bill, S. 2702. The legislation will eliminate tens of thousands of needless licenses which are presently required of exporters to ship items to our Cocom partners in Western Europe and in the Pacific. The bill will assure that our competitors for the growing world supercomputer, computer, telecommunications, and electronics markets can no longer point to unnecessary, unilateral U.S. restrictions as a reason for potential customers overseas to avoid U.S. manufacturers. The measure will help keep American companies from being left in the starting blocks because their Cocom counterparts do not impose onerous licensing requirements. By establishing a common set of rules for exports to Eastern Europe and the Soviet Union, United States exporters for the first time will be on equal footing with their competitors. This will enable my State's highly competitive high technology industry to devote itself to signing contracts abroad rather than to fighting the export control bureaucracy in Washington, DC.

Spurred by congressional interest in strengthening the competitive position of American exporters as well as in maintaining an effective multilateral export control regime, the administration's announcement at the Cocom high level meeting in Paris finally brings the proposal for telecommunications into line with earlier proposals for computers and machine tools. Together, these three sectors represent the lion's share of potential, nonagricultural United States exports to Eastern Europe and the Soviet Union. While I remain concerned about the minimalist approach reflected in the administration's Cocom proposals, I am hopeful that the talks this week will produce an agreement to move

forward toward the type of export control regime outlined in my legislation.

This issue is critical to the economic well-being of many in the Commonwealth of Massachusetts. The current export control regime is estimated to directly cost Massachusetts between 6,000 and 24,000 in lost jobs and up to \$1 billion in lost exports on an annual basis. The indirect cost in resultant loss of GNP could be two to three times more.

The Banking Committee will begin its deliberations on the Export Administration Act legislation later this month. I am committed to assuring that the Senate moves expeditiously along the path of export control reform outlined in S. 2702.●

FARMING, FREE MARKETS, AND PHILANTHROPY: FOUNDATION FOR THE DEVELOPMENT OF POLISH AGRICULTURE

● Mr. SIMON. Mr. President, all of us recognize that Poland is the very key to what happens in Eastern Europe.

What may not be quite as generally recognized is the key role that agriculture will play in the development there.

I am pleased about the contribution the Ford Foundation is making through the Foundation for the Development of Polish Agriculture.

I am also pleased that Norman Borlaug, who has contributed so much in the field of agriculture and developing nations, is playing a leadership role in the improvement of Polish agriculture.

Also, I am pleased to note that one of the people playing an important role in the Foundation for the Development of Polish Agriculture is Cindy Fithian, the daughter of my chief of staff, Floyd Fithian.

We have to do everything we can to be of assistance to them.

Recently, the Ford Foundation Letter carried an article titled, "Farming, Free Markets, and Philanthropy: Foundation for the Development of Polish Agriculture."

It is an excellent story that should inspire others and should inspire our own Government.

I ask that this article be printed in the RECORD at this point.

The article follows:

[From the Ford Foundation Letter, Spring 1990]

FARMING, FREE MARKETS, AND PHILANTHROPY: FOUNDATION FOR THE DEVELOPMENT OF POLISH AGRICULTURE

(By William Rust)

It is a cold, damp morning in January, and leafless apple trees line the road to the family farm of Tadeusz Wieteska, some ninety kilometers west of Warsaw. His stone and red brick barn is covered by a corrugated metal roof. The windows of the building are moist from the warm breath of the hogs

and cattle inside. By Polish standards, it is a mid-sized farm of twelve hectares, or about thirty acres. The land is divided into five fields, where Wieteska grows wheat, barley, and potatoes—typical crops for Poland's predominantly light, sandy soils.

Also typical is his aging farm machinery. Wieteska, a rawboned young man dressed in worn blue denim and work boots, calls the gray brick building sheltering his tractor, grass harvester, and manure spreader a "museum." As if to emphasize the prevalence of outdated equipment in Poland, his cousin arrives at the farm on a fifty-year-old tractor.

There is, however, one new piece of equipment recently purchased by Wieteska—a gray four-ton trailer for farm transport. Attachable to locally produced tractors, the trailer has a bed that can hydraulically "tip" its contents. Such specialized equipment is rare among Poland's private farmers, who control about three-quarters of the country's agricultural land. In the postwar era, these farmers successfully resisted collectivization and produced about 80 percent of Poland's food—despite government policies that diverted machinery, fertilizer, and other agricultural goods and services to state-owned farms.

Wieteska and twenty-nine other private farmers were able to buy the tipping trailers because of the efforts of the Foundation for the Development of Polish Agriculture (FDPA). An international nonprofit organization based in Warsaw, FDPA seeks to strengthen private farming by investing Western capital in Polish agricultural projects. Any profits are either allocated for philanthropic activities or reinvested in other projects benefiting private farmers and, ultimately, the larger society.

The sale of the trailers was a typical venture for FDPA, which played both a direct commercial role in the deal and an indirect catalytic role in pulling together the program. In the summer of 1989 a comprehensive FDPA survey revealed that although growing numbers of private farmers were using tractors, there was a widespread need for tipping trailers. The foundation approached the Swiss embassy in Warsaw, which provided a grant of 200 million Polish zlotys (about \$20,000) to finance the purchase of the trailers. FDPA also negotiated with the local factory producing the trailers, found thirty farmers to buy the vehicles, and collected their money. The entire transaction took twenty-one days.

A small-scale undertaking relative to the estimated 25,000 trailers needed nationwide, the venture is one part of a larger FDPA program to provide private farmers with machinery, crop-protection chemicals, and other agricultural production inputs. "Poland is full of young farmers who want to work," says Gregory A. Vaut, executive director of FDPA. "Their biggest problem is getting the equipment to do the job."

The foundation's commercial activities include a project to import high-protein swinefeed and export ham to the United States; a trading division to represent farmers in negotiations with Western importers of Polish fruit and vegetables; and a joint venture with a Dutch feed company that will enable private farmers to invest in Polish feed mills for the first time. FDPA is also coordinating a \$60 million agricultural aid package donated to Poland by the twelve-nation European Community (E.C.).

"We want to engage in economic activities not only to generate resources, but also to show that Western business practices and

market approaches can achieve positive development results," says Vaut, a forty-one-year-old agricultural economist who has worked as a Peace Corps volunteer in Africa and as an agribusiness executive with International Multifoods and Land O'Lakes. "We don't think our foundation can solve all the problems of agriculture in Poland, but we can show others who have more resources how to do the job better."

Complementing FDPA's revenue-generating ventures are a variety of training, research, and other philanthropic programs. In 1988 the Ford Foundation and the Rockefeller Brothers Fund made grants to help establish FDPA and support its philanthropic activities. In February 1990, FDPA received a \$400,000 two-year supplement from the Ford Foundation for four projects:

Training for FDPA's twenty-person staff in banking, trading, and other business skills that have been in short supply since the 1930s, when Poland last had a market economy;

Seminars and training for private farmers on such topics as animal feeding and nutrition, herd management, and crop protection;

Collaborative activities with Polish agricultural research institutions, aimed both at strengthening FDPA's capacity to serve farmers and encouraging research on problems relevant to private agriculture; and

Efforts to help FDPA and private farmers address environmental aspects of Polish agriculture.

"In its two years of operation, FDPA has made a real contribution to private agriculture in Poland," says Paul Balaran, coordinator of the Ford Foundation's programs in the Soviet Union and Eastern Europe. "Working in a rapidly changing political and economic environment, FDPA has shown how voluntary philanthropic organizations can contribute to Poland's development."

The establishment of FDPA is the culmination of years of effort by Western foundations and individuals responding to the declaration of martial law in Poland in December 1981. After the crackdown, the Ford Foundation and other philanthropies assisted Polish nationals in the United States and Western Europe who were unable to return to their homeland because of their association with the Solidarity trade union.

Another initiative, supported by the Rockefeller Brothers Fund and the Rockefeller Foundation, explored ways the U.S. private sector might directly aid the Polish people. Because of concerns about the adequacy of Polish food supplies and the country's farming, processing, and distribution capacity, this initiative focused on agriculture. In 1982 agricultural scientist Norman E. Borlaug, winner of the 1970 Nobel Peace Prize for his contribution to the "Green Revolution," led an international team of experts to Poland to assess the factors that constrained or encouraged growth in the country's food economy.

A traditionally agrarian country that was once the "bread basket" of Europe, Poland has a total land area of 31 million hectares, which is equivalent to the combined size of Illinois, Indiana, and Ohio. About 60 percent of the country is classified as agricultural land. Nearly one-half of Poland's 2.3 million private farms are very small—five hectares or less—and they produce little marketable agriculture. Surrounding the predominantly private farming sector are state-owned input, food-processing, and distribution industries.

Borlaug and his colleagues were generally optimistic about the potential of Polish ag-

riculture to feed the people and contribute to export earnings. The country has impressive natural resources, and agreeable climate for farming, and a strong agricultural science base. The team concluded that the most serious constraint to increased agricultural production was "the highly inefficient central planning process," which distorted economic incentives at every point on the farmer-to-consumer food chain.

The report of the Borlaug mission was favorably received by the Polish authorities, who encouraged further exploration into ways of improving the country's agriculture. After six years of negotiations with the Polish government—an arduous process reflecting the poor state of U.S.-Polish relations during most of the 1980s—FDPA was established in 1988 under the Polish Law on Foundations. To ensure FDPA's independence, West European and U.S. citizens constituted 60 percent of the foundation's governing council. The remaining 40 percent were Poles not associated with the government.

Borlaug, who chairs FDPA's governing council, led a second team of agricultural and food-system experts to Poland in 1989. Their mission this time was to assess Polish agriculture in light of the country's profound economic and political changes. In August 1989 Solidarity's Tadeusz Mazowiecki became Poland's first non-Communist prime minister in more than forty years. And on Jan. 1, 1990, the new government instituted a radical program to transform the country's centrally planned economy in a market economy, a painful transition that includes removing price controls and slashing subsidies to consumers and industries.

The second Borlaug report made detailed recommendations to the Polish government and outlined an agenda for countries and organizations seeking to strengthen Polish agriculture. The report's summary judgment was that despite enormous problems, the prospects were good for improvements in Polish agriculture: "It is very likely that, given adequate opportunity and access to necessary inputs and efficient markets, Poland can match or exceed crop and livestock yields and production achieved in neighboring countries."

According to FDPA's Gregory Vaut, the sheer size of agriculture in Poland—about 40 percent of the population either farms or works in related industries—could create sufficient demand to drive the rest of the country's beleaguered economy. "People focus on agriculture only as a source of food," he says. "But ultimately that is less important than the fact that it's the farmers who buy the equipment made in the steel mills. And it's the farmers who buy the radios and the refrigerators and the trucks and the other things manufactured by the industrial workers."

Because of the absence of national and international markets for Poland's manufacturing and service sectors, says Vaut, "Poland is going nowhere unless it starts getting agriculture going."

During the negotiations to establish FDPA, it was agreed that the foundation's establishment would require at least one workable income-generating project. A proposed venture to export apple juice concentrate was abandoned during the winter of 1987-88, when 70 percent of the country's apple trees froze. FDPA quickly shifted to a second project to import pig feed and export ham.

Poland produces virtually no high protein feed crops, such as soybeans, which are needed to stimulate meat production. To maximize pork production, pig feed must be "balanced" with precise amounts of digestible protein supplements that are combined with vitamins, minerals, and locally available feed ingredients such as rye and barley.

"In Poland today we are producing one hog on about 600 kilograms of feed," says FDPA program manager Mirosław Sujka, who served in the Ministry of Agriculture before joining the foundation. "And if you balance the feed, you will need only 350 kilograms of feed. So instead of producing two hogs with the same volume of feed, you will produce three hogs."

Drawing on a \$2.4 million line of credit from the Austrian bank, FDPA began in 1988 to import feed concentrates and supplements for sale to private farmers. The foundation also played an agricultural-extension role by educating farmers about the value of concentrated pig feed. By the end of 1989, FDPA had distributed more than 6,000 tons of this feed to some 5,000 private farmers. "For the first time in Poland," said Sujka, "an extension job done with private farmers was followed by inputs."

With the revenue from the sale of feed, FDPA purchased ham from the same farmers and exported the meat to the United States. In 1989 FDPA exported 1,100 tons of ham, worth about \$3.4 million. With the proceeds of the ham sales, the foundation will repay the bank loan and reinvest the profits.

"Compared with the total national export of ham, this is a small project," says Sujka. "But in working with particular farmers and local managers and so on, we are learning more and more about agriculture from the producer's point of view, not the government's."

The success of the ham project, which has become self-supporting ahead of schedule, has led to a variety of other commercial and philanthropic activities. One of them is a joint venture with the Dutch feed company Hendrix International to establish a feed mill in eastern Poland. FDPA commissioned feasibility studies for the venture, sought out Hendrix and helped the company understand Polish agriculture, identified local manufacturers of equipment to a minimize the investment of scarce convertible currency, and found farmers to invest zlotys in the project.

"We insisted that the farmers be allowed to have a substantial equity position in the company," says Vaut. "We are only going to take 10 percent equity, which is really almost symbolic. At some point, we'll just sell our shares to the farmers."

Another program financed in part by the ham project is a program to distribute machinery, crop-protection chemicals, and other agricultural production inputs directly to private farmers. Based on a network of FDPA farm-supply shops, the new system is intended to help replace the rapidly collapsing state system. "Many old institutions are just leaving behind empty warehouses," says FDPA program manager Krystyna Faltynowska. "And there, investing some money, we can open our own system."

Faltynowska, who formerly managed a district swine breeders and producers association and opened a farm-supply shop in northern Poland, helped put together the FDPA tipping-trailer venture. She has reinvested funds from the sale to buy fifty liquid manure tanks, which in turn will be sold to private farmers.

Faltynowska is also working on a program to import and distribute much needed medicine for animal parasites. Because of the volatile prices in Poland, where the inflation rate soared to 70 percent in January and slowed down in February and March, there is uncertainty whether farmers will buy the medicine. "We have to take a risk," says Faltynowska. "But without risk, there is no business."

Perhaps the most challenging task facing FDPA's distribution system and the organization as a whole is the \$60 million E.C. agricultural aid package. The donation, which consists primarily of pesticides and other crop-protection chemicals, is aimed at putting agricultural inputs in the hands of private farmers in time for the spring 1990 planting season. Unlike earlier Western food donations to Poland, which helped urban consumers but hurt farmers, the E.C. donation is the first substantive Western assistance to Polish agriculture.

In addition to directly distributing 20 percent of the estimated 6,600 tons of crop-protection chemicals, FDPA has been asked by the Polish government to coordinate the planning and importing of the entire E.C. program. FDPA has helped identify the specific crop-protection chemicals needed, and reviewed logistical and technical details with the manufacturers.

The foundation's staff members acknowledge the difficulty of mounting such a large, complex program in time for the spring planting. Routinely putting in twelve-hour workdays, FDPA's predominantly Polish staff is approaching this task with a sense of mission. "We know that this is a challenge," says program manager Andrzej Trzeciakowski, who heads FDPA's trading division. "But I believe we can do it."

Implicit in the E.C. donation is another important challenge facing FDPA: managing its own growth. Over the last year, the staff of the foundation has grown from six people to twenty. And the more FDPA succeeds in its work, the more it attracts significant new programs from the Polish government, donor countries, and others interested in Poland's development. Says Gregory Vaut: "We simply can't chase every rainbow."

Formerly a private home, FDPA's offices are in a two-story building in Warsaw's Praga section, across the Vistula River from the central city. Although the setting is hardly rural, the two apple trees in FDPA's front yard are a fitting symbol for an organization serving the agricultural interests of the world's third largest producer of apples.

Below ground level is the foundation's Foreign Trade Office (FTO), where the wall decorations include packaging material for Polish rye bread and other FDPA exports. Established in 1989 to import and export feed, meat, and the other items previously controlled by the government, the FTO has three objectives: to offer private farmers an alternative to the state trading firms; to reduce transaction costs by cutting out expensive intermediaries and brokers; and to generate convertible currency to finance other projects.

One recently completed transaction was the export of more than sixty tons of Polish tomatoes to Austria. The price the FTO received was about 5 percent higher than the price received by the state trading companies exporting tomatoes to the same market. Says Trzeciakowski, whose academic training was in cattle breeding and milk production. "The importer in Vienna said that never in his experience with Poland had he traded with such a well organized, timely exporter."

A new FTO project is the planned export of skim-milk powder to French importers and processors of dairy products. The dairy sector is important to private farmers, who typically have herds of five or fewer cows and produce about 85 percent of the milk in Poland. Highly seasonal production, the lack of on-farm cooling equipment, and poor transportation and collection contribute to the low quantity and quality of Polish dairy products.

FDPA is working with ten Polish milk plants to help improve the quality of their dairy products and increase their export. The U.S. dairy company Land O'Lakes, which according to former employee Vaut is active in international development work, has agreed to provide technical assistance both to the plants and the farmers. Three FDPA staffers will coordinate the export of the processed milk as well as the technical assistance. "In so many things, that's the role we play," says Vaut. "It's really staffing other people's ideas and concepts and making them work for our farmers."

The FTO, and the foundation as a whole, must cope with an economic infrastructure ill equipped to handle private financial transactions. The Polish banking system, for example, is primitive and checks can take a month or more to clear. Moreover, poor communications within Poland both complicate FDPA's operations and hinder the free flow of information about prices necessary for efficient markets.

A particular problem for FDPA's trading division is the lack of high-quality packaging in Poland. "We had to import cartons for the tomatoes because the ones we have here are too soft," says Trzeciakowski. "And if you pile them one on top of the other, those on the bottom break. And instead of fresh Polish tomatoes, you deliver tomato pulp."

More than fifty years have passed since Poland last had a market economy. Decades of central planning have stifled businesslike thinking, and the number of Poles qualified to organize, finance, and manage business enterprises is limited. "There is a general problem of lack of good management skills in Poland," says Mirosław Sujka. "Decisions were made politically in the Polish Communist Party without analyzing costs and benefits. And if the decisions generated losses, they were subsidized."

FDPA is working to enhance the business skills of its staff members through brief internships with Western corporations and seminars in management. One staffer spent a week in the international division of an Austrian bank; another observed animal production on Dutch farms; and a third made a two-and-one-half-week visit to the United States to study the food-processing industry and food-distribution system.

Such experiences are "absolutely invaluable," according to Vaut. Telling a perhaps apocryphal story about Mirosław Sujka, whose training is in veterinary medicine, Vaut says: "When I first met him and said, 'We have a problem,' he pulled out a thermometer. Now when I say, 'We have a problem,' he gets out a calculator."

Assistance from the Ford Foundation is enabling FDPA to expand its staff development program. The funds will cover travel expenses as well as pay for a small technical library with volumes on U.S. and West European contract law, international economic data, and management, finance, and accounting.

The recent Foundation grant is also supporting FDPA's training and technology

transfer seminars, which aim to help make private farming more efficient and profitable. The seminars are an outgrowth of FDPA's initial work with feed and chemical companies, which offered to have their technical people show farmers how to use the products. Organized in cooperation with farmers' associations and local institutions that work with farmers, the seminars typically include a technical presentation and a field visit. In 1989 there were twenty-three training seminars on such topics as swine nutrition and management, and crop protection in orchard management. Attendance at the seminars ranged from twenty-five to 200 private farmers and agricultural extension agents.

As part of the training program, FDPA arranges visits to Western farms, agricultural operations, and trade fairs for groups of "leader farmers," who are selected both for the high quality of their production and for the likelihood they will share what they learn with other farmers. "In the past," says Vaut, "these opportunities went to state farm directors, state bureaucrats, and nomenklatura."

Both Borlaug reports emphasized that the basic science underlying Polish agriculture is strong. The country's plant and animal researchers are well trained and backed by a vast research network of universities, agricultural institutes, and other scientific organizations. The result has been a number of highly successful genetic and breeding research programs for improved crop varieties and livestock.

Unfortunately, the genetic potential of many crops and livestock breeds has not been realized in production agriculture. Part of the problem has been a shortage of essential agricultural production inputs. In addition, agricultural research, education, and extension have been poorly coordinated. Thus, very little of the research relevant to private farming finds its way into the production process.

FDPA is working to develop closer links with Polish agricultural research institutes and to raise the priority of private agriculture on their research agendas. It is commissioning issue papers and research on subjects relevant to FDPA's activities; hiring experts from the institutes to serve as consultants to the foundation; and cooperating with research organizations to publish technical material suitable for use by farmers.

One institute that FDPA has already developed good relations with is the Potato Research Institute in Bonin. Established in 1966, the institute is participating in one of FDPA's most important initiatives: an international research project aimed at combating "late blight," which in some years destroys 40 percent of the Polish potato crop. The fungus is a particular threat to private farmers, who lack fungicides and sprayers.

FDPA is helping Polish researchers and agricultural extension personnel share information with counterparts in Mexico, where the fungus originated. In the United States, collaborating institutions are contributing advanced technology. The goal of the project is to facilitate the breeding of blight-resistant potato varieties. One spinoff from this project has been an exploration into establishing small-scale potato processing plants, owned jointly by FDPA and private farmers.

Polish agriculture has suffered greatly from environmental degradation. Because of the 1986 nuclear accident at Chernobyl, high radioactivity was evident in Polish milk products. In the coal-mining region of

Silesia, there are high levels of heavy metals in root crops. And air pollution is apparently responsible for the destruction of vast forests in the Izerski and Snieznik mountains in southern Poland.

Agriculture is also a polluter in Poland, where rural water supplies have been contaminated by run-off from barnyards and fields. According to the second Borlaug report, "Poland faces a dilemma no unlike that confronting other food-deficit nations—the need to boost and improve output utilizing fertilizers and pesticides that, when utilized improperly, can have adverse effects on the environment."

There is a substantial body of Polish research associated with the trade-offs between agriculture and the environment. Because of increasing international interest in the country's environmental problems, FDPA is translating and distributing Polish technical articles and reports on agriculture and the environment. At the farm level, FDPA is developing programs to expand the use of sustainable technologies—for example, improved spraying techniques and better equipment—which reduce environmental damage and increase agricultural output. It is also working with a group of private farmers interested in exploring ways of producing and marketing chemical-free products.

FDPA is operating in an environment of unprecedented economic change in Poland. Even the most optimistic scenarios for transforming the country's economy include wrenching dislocations, at least for the short term. Within the agricultural sector, there will inevitably be a rough shakeout—both among large, inefficient state monopolies and among very small farms.

"The good news," says Vaut, "is that agriculture is something the West knows a lot about. We know how to work with agriculture better than we know how to fix steel mills, which require hundreds of millions of dollars of investments. Polish agriculture doesn't need hundreds of millions of dollars. It needs small amounts of money very narrowly targeted. And the philanthropic community is prepared to spend the management resources needed to do a lot of small things well."●

THE AMERICAN ELECTRONICS ASSOCIATION'S ETHICS PRACTICES PROGRAM

Mr. BINGAMAN. Mr. President, I would like to draw my colleagues' attention to a successful effort by the American Electronics Association to educate their member companies with defense business on corporate ethics programs. To date, 400 of their 700 companies with Government business have signed up to their "ethics practices" program.

The approach is consistent with the Packard Commission's recommendation that companies should implement strong self-governance programs. As the Packard Commission stated:

The Commission believes that self-governance is the most promising mechanism to foster improved contract compliance.

AEA's program contains five major elements: First, development of a written code of conduct; second, commitments to communication of the code to all employees; third, training;

fourth, implementation of mechanisms to detect and report violations; and fifth, company disciplinary action of violators.

Mr. President, I want to echo the sentiments of Defense Department Under Secretary for Acquisition John Betti who congratulated the AEA on its efforts, saying:

... voluntary contractor self-governance programs remain the most promising mechanism to foster compliance with the high standards we expect of DOD suppliers. I commend AEA for the work it has done to foster the development and adoption of ethical codes of conduct by 450 of your member companies ... Both the Defense Department and the defense industry have a responsibility for improving the ethical environment within the acquisition system. Working together, through programs such as the AEA Code of Ethics Practices, we can help each other meet the high standards the public expects.

As a member of the Senate Armed Services Committee and chairman of the Defense Industry and Technology Subcommittee, I believe that the effort begun by AEA is a positive step in the direction of improving the relationship between government and industry. It also demonstrates clear progress in restoring public confidence in our defense program.

Mr. President, I ask unanimous consent that the list of companies participating in the AEA's ethics practices program be included in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

AMERICAN ELECTRONICS ASSOCIATION ETHICS CODE AND SIGNATORY COMPANIES

Abbott Critical Care and Control Systems.
Accel Technologies, Inc.
AccSys Technology, Inc.
Acurex Corporation.
ADC Telecommunications, Inc.
ADC Kentrox.
Advanced Counter Measure Systems.
Advanced Systems Concepts, Inc.
Advantage Production Technology.
Aejin Systems Inc.
Aerojet.
Akashi Memories.
Alliance Telecommunications Corporation.
Alpha-Softech.
Amador Corporation.
Ambitech, Inc.
Amdahl Corporation.
American Telecorp. Inc.
American Nucleonics Corporation.
Amtech Corporation.
Analog Devices, Inc.
Andrew Corporation.
Andros Analyzers, Inc.
Anray Inc.
Aptec Computer Systems, Inc.
Aptek Technologies, Inc.
Arbiter Systems, Inc.
ARC Electronic Associates, Inc.
ARGOSystems, Inc.
Asante Technologies, Inc.
ASAT, Inc.
Ascort, Inc.
ATAC.
ATEQ Corporation.
ATT.

- Avantek, Inc.
 AVC Enterprises, Inc.
 Avtech Corporation.
 Ball Aerospace Systems Group.
 Ball Aerospace Systems Group of Ball Corporation.
 Ball Corporation.
 Ball Corporation Efratom Division.
 BancTec, Inc.
 BDM International, Inc.
 Beacon Laboratories, Inc.
 Bendix Oceanics, Inc.
 Berkeley Nucleonics Corporation.
 Bertram Laboratories, Inc.
 BIT.
 Boeing Aerospace & Electronics-Irving Company.
 Bolt Beranek and Newman Inc.
 Brand Eng. Co.
 Brooktree Corporation.
 BTG, Inc.
 BTU International, Inc.
 Byte Images, Inc.
 C.A.M. Graphics Co., Inc.
 California Instruments Corporation.
 Cencopp/Dover Electronics.
 Cerprobe Corp.
 Chorus Data Systems.
 Chrysler Technologies Airborne Systems, Inc.
 Codenoll Technology Corporation.
 Coherent Thought Inc.
 Coherent Thought Inc.
 Comco, Inc.
 CompuRoute, Inc.
 Computer Identics Corporation.
 Computer Products, Inc.
 Computer Products, Tecnetics, Inc.
 Computer Resource Management, Inc.
 Computrac.
 Condor Systems, Inc.
 Conner Peripherals.
 Contact International Corporation.
 Corcom, Inc.
 Creative Computer Solutions, Inc.
 Creative Business Software.
 Cristek Interconnects, Inc.
 Critikon, Inc.
 Crosspoint Technologies, Inc.
 CSI Control Systems International, Inc.
 Cubic Communications Inc.
 Cummins Electronics.
 Custom Engineered Materials, Inc.
 Custom Software, Inc.
 CXC Corporation.
 Cyberdata Corporation.
 Daico Industries, Inc.
 Dalmo Victor Division General Instrument.
 Data I/O Corporation.
 Data Check Corporation.
 Data Switch Corporation.
 Datamatic, Inc.
 Datametrics Corporation.
 DataMyte Corporation.
 DataTrak, Inc.
 Datum, Inc.
 Davox Corporation.
 DB/Access, Inc.
 DIALPRO of Los Angeles.
 Digital Equipment Corporation.
 Document Technologies, Inc.
 Dowty Maritime Systems.
 DSC Communications Corporation.
 Dynaco West Corporation.
 E-Comms, Inc.
 Eldec Corporation.
 Eldec Corporation.
 Electro-Mech Co.
 Electro-Numerics, Inc.
 Electrodynamics, Inc.
 Electrodynamics, Inc.
 Electrohome USA (1989), Inc.
 Electromagnetic Sciences, Inc.
 Electronic Packaging Company.
 Electronic Solutions.
 Electrospace Systems, Inc.
 Elpac Electronics, Inc.
 Emerson & Stern Associates Inc.
 Encore Professional, Inc.
 Engineered Circuit Research Inc.
 Esterline Angus Instrument Corporation.
 Fail-Safe Technology Corporation.
 Fairchild Data Corporation.
 FEI Microwave, Inc.
 First Pacific Networks.
 FlowMole Corporation.
 FMC Corporate Technology Center.
 Force Computers, Inc.
 Ford Aerospace Corporation.
 Frame Technology Corporation.
 Future Domain Corporation.
 GCA Corporation.
 Gemma Scientific, Inc.
 General Semi Conductor.
 Genisco Technology Corporation.
 Genrad Inc.
 Genus, Inc.
 Goold Electronics Corporation.
 Handar.
 Harris Corporation.
 Harris Corporation Computer Systems Division.
 Hartman Associates.
 Hawley & Associates.
 Hazeltine Corporation.
 HCL America, Inc.
 Hel Inc.-Corporate Group.
 Hendry Telephone Products.
 Hewlett Packard Company-Greeley Storage Div.
 Hewlett Packard Co.-San Diego.
 Hewlett-Packard Company.
 Hibbing Electronics Corporation.
 HNC, Inc.
 Hogan & Associates, Inc.
 Honeywell Federal Systems, Inc.
 Honeywell Federal Systems, Inc.
 Hughes Aircraft Company.
 IBM.
 Icore.
 II Morrow, Inc.
 Imatron Inc.
 Industrial Data Link Corporation.
 Industrial Electronic Resources.
 Inframetrics, Inc.
 InframeTrics.
 Inova Microelectronics Corporation.
 Intecolor Corporation.
 IntelliGenetics, Inc.
 Interactive Systems Inc.
 Interfax, Inc.
 Interfet Corporation.
 International Computer Group.
 Ion Implant Services.
 IRT Corporation.
 IVEX Corporation.
 Janco Corporation.
 Janco Corporation.
 Kaiser Electroprecision.
 Kaiser Electro-Optics.
 Kaitek Media, Inc.
 Kaman Instrumentation Corporation.
 Kaman Sciences Corporation.
 Korry Electronics, Co.
 Kurta Corporation.
 L'Garde, Inc.
 Lambda Novatronics, Inc.
 Lambda Electronics Inc.
 LanQuest Group.
 Laser Magnetic Storage International Co.
 Laughlin-Wilt Group, Inc.
 Leach Corporation.
 Lear Astronics Corporation.
 LectroMagnetics, Inc.
 LeeMah DataCom Security Corporation.
 Levypold & Stevens, Inc.
 Liconix.
 Linotype Company.
 Litton Electron Devices Division.
 Litton Industries, Inc.—Beverly Hills.
 Litton Computer Services.
 Litton Industries-Beverly Hills.
 Lockheed Missile & Space Company, Inc.
 Logic Modeling Systems, Inc.
 Logical Services Inc.
 Logicon, Inc.
 Logicon, Inc.
 Lohr Systems Solutions Corporation.
 Loral Corporation.
 Loral Randtron Systems.
 Loral Electro-Optical System.
 Loral Rolm Mil-Spec Computers.
 InfraRed and Imaging Systems.
 Loral Conic.
 Lucas Zeta Inc.
 M/A-Com Active Assemblies Division.
 M&S Systems, Inc.
 Magnanox Advanced Products Systems Co.
 Magnanox Advanced Products and Systems Company.
 ManTech International Corporation.
 Mark Products, Inc.
 Marks Polarized Corporation.
 Marlow Industries, Inc.
 Martin Marietta Corporation.
 Master Systems.
 Measurex Corporation.
 Medilase, Inc.
 MEMC Electronic.
 Meta-Software, Inc.
 Metratek, Inc.
 Metrotech Corporation.
 Micro Motion, Inc.
 Microbar Systems, Inc.
 Microelectronics & Computer Technology Corporation.
 Microsource, Inc.
 Microwave Solutions, Inc.
 Microwave Applications Group.
 Microwave Networks Inc.
 Miltope Corporation.
 Mimir Instruments, Inc.
 Modular Computer Systems Inc.
 Motion Analysis Corporation.
 Motorola, Inc.
 Motorola-GEG.
 Mountain Computer, Inc.
 Mountain Bay Tek., Inc.
 Multi-Plate Circuits, Inc.
 MUPAC
 Mutron Corporation.
 N/Hance Systems, Inc.
 NBK Corporation.
 Norian Corporation.
 Norstan, Inc.
 Northrop Corporation.
 NovaStor Corporation.
 Novell, Inc.
 Novell Systems, Inc.
 Ocean Technology Inc.
 OCRON, Inc.
 Odetics.
 Olin Mesa Corporation.
 Omnic of Florida, Inc.
 ON TARGET Associates.
 ORCAD.
 Output Technology Corporation.
 P & H Laboratories.
 Pace Enterprises.
 Pacific Monolithics.
 Pacific Scientific Company.
 Pacific Electro Dynamics, Inc.
 Pacific Manifest, Inc.
 Palomar Technology International.
 Pande Inc.
 PCO, Inc.
 Peninsula Engineering Group, Inc.
 Penn Central Federal Systems Co.
 Pentax Teknologies.

Phase 2 Automation.
 Phoenix Integrated Circuits, Inc.
 Pico Design Inc.
 Pinnacle Systems Inc.
 Plexus Software, Inc.
 Poly-Scientific Division, Litton Industries.
 Power Up Software Corporation.
 Power-Sonic Corporation.
 Precision Prototypes, Inc.
 Preston Scientific.
 Projectavision, Inc.
 Pulizzi Engineering, Inc.
 QTech.
 Quadrant Technology, Inc.
 Quality Systems Inc.
 Quest Technologies Corporation.
 Quintron.
 Quintus Computer Systems, Inc.
 R F Monolithics, Inc.
 Racal Interlan.
 Racon, Inc.
 Radian Technology, Inc.
 Raster Graphics, Inc.
 Raytek.
 Raytheon Company.
 Research Inc.
 RJS Inc.
 Rockwell International Corporation.
 Rosemount Analytical Inc.
 Rosemount, Inc.
 RS Associates.
 Rudolph Research International.
 S&EI Mfg.
 Samsung Semiconductor Inc.
 Satellink, Inc.
 Scantron Corporation.
 Schlage Electronics.
 Schumacher—unit of Air Products & Chemicals, Inc.
 Scientific Technologies, Inc.
 SeaFab, Inc.
 Sequest Software, Inc.
 Security Control Systems, Inc.
 Selectone Corporation.
 Semiconductor Systems-General Signal.
 Semifab, Inc.
 Sensor Control Corp.
 Sensor Medics Corporation.
 Sensormatic Electronics Corporation.
 Silicon Valley Turnkey.
 Silicon Graphics, Inc.
 Softech, Inc.
 Software Horizons.
 Spectra Physics.
 Spectra-Mat, Inc.
 Spectragraphics Corporation.
 Spectrix Corporation.
 Spellman High Voltage.
 Sputtered Films Inc.
 Stanford Telecom.
 Storage Technology Corporation.
 Sundstrand Data Control, Inc.
 Tandy Corporation.
 Technit Inc.
 Teledyne Systems Company.
 Teledyne CME.
 Telephoto Communications, Inc.
 Tellabs, Inc.
 Tellabs, Inc.
 TelPlus Communications, Inc.
 Teltone Corporation.
 Texas Instruments.
 The Titan Corporation.
 The Perkin-Elmer Corporation.
 The Galaxy Organization.
 Therma-Wave, Inc.
 Thoratec Laboratories Corporation.
 Time Zero Corporation.
 Trace Products.
 Tri-L Associates Inc.
 Trigem Corporation.
 Trigon/Adcotech.
 Trio-Tech International.
 Triridge Corporation.

Ultrasystems Defense, Inc.
 United Epitaxial Technologies, Inc.
 United States Data Corporation.
 Unitek Equipment Div. Weldmatic Corporation.
 UTI Instruments Co.
 UTL Corporation.
 Valid Logic Systems, Inc.
 Validyne Engineering Corporation.
 Vantage Analysis Systems Inc.
 Varian Associates.
 Varian Associates Inc.
 Varityper, Inc.
 Vector Systems, Inc.
 Viewlogic Systems, Inc.
 Vitarel Microelectronics, Inc.
 Vitel.
 Vitesse Semiconductor.
 Vitro Corporation.
 Vitro Corporation.
 Vitro Corporation.
 VJB Business Management.
 Voss Electronic.
 West Coast Information Systems, Inc.
 Western Fastener Company.
 Western Microwave Inc.
 Whittaker Electronic Systems
 Wright Capacitors, Inc.
 Xel Comm. Inc.
 Xicor, Inc.
 XRL, Inc.
 Yasch, Co.
 Zero Defects, Inc.
 Zetaco, Inc.
 Zygo Corporation.
 Zymos.

RETIREMENT OF JERRY BURNETT

Mr. DURENBERGER. Mr. President, I rise today to pay tribute to Jerry Burnett, a constituent of mine who is retiring after 46 years of dedicated involvement with the International Association of Machinists. Jerry leaves behind him an outstanding career of service to his Nation, State, and community.

Jerry first joined the International Association of Machinists in 1944. His association with his union was interrupted by Uncle Sam's call during World War II, when he served overseas as a marine. After his discharge from the service, he returned home and became an active member of his union.

Jerry has a list a mile long of honors and areas of service to his fellow machinists, beginning with his service as vice president of his local lodge, 602C. He was chairman of Local 620C's bylaw committee, a member of the shop safety committee, and served as a member of the negotiating committee.

He was a delegate to the district lodge, the St. Cloud Central Body, the Minnesota State Federation of Labor, the Minnesota State Council of Machinists, and the Midwest States Council of Machinists.

Jerry served as secretary-treasurer of the St. Cloud Central Body, president of the St. Cloud Central Body, vice president of the Minnesota State Federation of Labor, and vice president of the Midwest States Council of Machinists. In 1953, Jerry was elected

the business representative of District Lodge 165. In 1966, he was appointed as a grand lodge representative of the international in 1966. He served as chairman of the organizing committee of the St. Cloud Central Body.

But Jerry's career of distinguished service was not limited only to his work with the international. Jerry was selected as the voice of labor on countless community and State commissions. He was appointed by the Governor of Minnesota as a member of the manpower training commission, and later as a labor representative on the Governor's Indian Affairs Committee. He served as a member and as a president of the St. Cloud Equal Rights Commission. He was appointed by the mayor of St. Cloud to the Mayor's Tax Advisory Committee, and by district judges as a member of the St. Cloud Charter Commission. Later, he was the labor representative on the city of St. Cloud Centennial Committee, and the chair of the personnel committee of the St. Cloud Civil Defense Commission.

Jerry's exceptional abilities earned him numerous awards and honors. He received a scholarship to study foreign affairs and observe the U.N. General Assembly. He received a Recognition and Achievement Award for Civic and Social Advancement from the St. Cloud Chamber of Commerce.

Jerry has also been active in politics at all levels of government throughout his career. His closest brush with politics was in 1964, when he was a candidate for the Minnesota House of Representatives.

Mr. President, if I listed all the panels on which Jerry has served and all the distinctions that he has earned, there would be time for no other business in the U.S. Senate today. Let me just close by saying that I wish Jerry Burnett a happy, well-deserved retirement. I know that Jerry and his wife, Millie, have many great memories and friends, and will enjoy many more in the years to come.

THE WEST SHOULD DO MORE TO HELP EAST EUROPE

Mr. BINGAMAN. Mr. President, all of us applaud the efforts of those East European countries who are attempting to transform themselves into market-type economies. But those who are moving fastest toward that goal are likely to experience the greatest short-term transitional costs. Among the dangers they face is the loss of public confidence as unemployment and hardships increase during the period when governments reduce subsidies to inefficient enterprises and decontrol prices.

These and many other problems were explained in hearings I conducted in the Joint Economic Committee

on May 16, 1990. At that time, I made public a report prepared by the Central Intelligence Agency on the economies of Eastern Europe, and heard testimony from two outside experts, Jeffrey Sachs of Harvard University, and Charles Wolf of the Rand Corp.

The Washington Post recently ran an editorial commenting on the dilemma faced by the East European reformers, based on the testimony presented to the Joint Economic Committee. As the Post put it:

Deepening austerity risks public resistance and protest that can block these desperately necessary reforms.

The editorial asked the question, Is the West doing enough to help these new democracies, and it replied, not nearly enough.

In addition to their other difficulties, several of the East European countries, including Hungary and Poland, have large foreign debts, owed mostly to Western governments. The Western governments are urging the commercial banks to grant private debt relief to the Latin American countries, but have so far not applied the same principle to the government debt they hold in East Europe. Yet, as the editorial pointed out:

As an investment in democracy, debt relief promises to pay dividends.

I request unanimous consent that the editorial in the Washington Post, June 6, 1990, "Democratic but Poor," be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 6, 1990]

DEMOCRATIC BUT POOR

In Poland the standard of living fell throughout the 1980s. In some of the other Eastern European countries it may have risen slightly, but not enough to acquit their Communist government of the charge of incompetence. The sense of economic crisis has been a powerful force in the revolutions of the past year. The democrats now taking office know that to make their countries work better in the long term, they have to go ahead with reforms that will hurt in the short term.

The CIA recently offered the Joint Economic Committee its view of this process and came to the right point. Deepening austerity risks public resistance and protest that can block these desperately necessary reforms. In the immediate future, the CIA suggested, economies may well perform most badly in those countries—Poland, Hungary, Yugoslavia—that are pushing reform hardest.

Over this past year, the West has come to realize how far the reforms are going to have to go. The CIA study estimates that 40 percent of the firms in Poland and Yugoslavia will fail if direct state aid is cut off. Because of the severe housing shortages, workers can't easily leave the mill towns in search of new jobs elsewhere.

That raises once again the question: Is the West doing enough to help these new democracies? The answer is that the West has done some useful things, but not nearly enough so far.

Jeffrey Sachs of Harvard, who has been working as a consultant to the Polish and Yugoslav governments, offered the Joint Committee a short list of immediate needs. The Eastern Europeans need financial support for their currencies to enable them to open their markets and trade with the West. On that, the West and specifically the United States have given at least Poland valuable help. Eastern Europeans also urgently need technological help—not only in engineering and manufacturing but in design and marketing to enable them take advantage of their access to Western markets.

And then there are Eastern Europe's foreign debts, regarding which Mr. Sachs has been carrying on a crusade for some time. Through the Brady Plan, the rich countries have begun to provide a measure of debt relief to the poor countries—mostly in Latin America—that owe billions to the commercial banks. But the Brady Plan doesn't help the Eastern Europeans. Most of their debt is owed directly to the governments of the rich countries, which, as Mr. Sachs observes, have declined to apply to themselves the same rule of forgiveness that they are urging on the commercial banks. But as an investment in democracy, debt relief promises to pay dividends.

GLOBAL WARMING EFFORTS BEGUN IN MAINE

Mr. MITCHELL. Mr. President, a year ago there was an important conference held in Maine that encouraged people in Maine to think about what can be done locally to respond to the problem of global warming. Discussions were held on education, environment, ethics and values, population, security and governance, and technology.

This was not another meeting to discuss the problem of global warming. It was, instead, a conference to discuss what each of us can do to respond to the problem in our communities. The global warming problem is so overwhelming that it is necessary to bring the scale down to a more human level. Each of us is a contributor to the global warming problem. Each of us must become part of the solution. This message was effectively delivered by the participants of the Global Maine Conference.

Mr. President, I ask unanimous consent that a summary of the proceedings of the conference be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

REINVENTING THE WORLD AROUND US: A SUMMARY OF THE GLOBAL MAINE CONFERENCE, MAY 24 AND 25, 1989

(University of Southern Maine, Department of Community Programs, Department of Continuing Education for Business)

EXECUTIVE SUMMARY

Maine citizens are becoming increasingly aware of their connections to people and ecosystems around the world. The Global Maine Conference, sponsored by the University of Southern Maine—Departments of Community Programs and Continuing Edu-

cation for Business in May 1989, was organized to explore how patterns of global change are influencing life in Maine. The conference was based on the premise that global economic and ecological crises are interrelated and that both strongly influence, and are influenced by, actions at the local level.

Keynote addresses at the conference were made by retired U.N. official and Ford Foundation scholar, Sir Brian Urquhart, and Clifford Lincoln, former Environmental Minister of Quebec. The conference was structured around six track areas—education; environment; ethics and values; population; security and governance; and technology. In each track, speakers and coordinators guided dialogue toward constructive strategies for individual and societal change.

Recommendations that emerged from each track were shared in a "town meeting"-style plenary session. Several themes appeared to characterize the wide array of track responses. Participants stressed the importance of redefining values at individual and societal levels; developing networking and bioregional approaches; promoting ecological and economic sustainability; acknowledging conflict and celebrating cultural diversity; and redefining education to become more participatory and life-long.

More than 150 citizens and representatives of education, government, business, non-profit organizations, and academia attended the conference. Participants recommended that the conference be followed by other activities and programs designed to further understanding of global issues and encourage constructive local action.

Conference goals:

To create an opportunity for people to share concerns and explore differences; to exchange ideas, and brainstorm creative actions to address the critical global issues facing Maine.

To provide timely information on global trends that are affecting Maine now or will do so within the next two decades.

To inspire people to take immediate action in their personal lives and to consider how our communities and broader society must be transformed.

To encourage people to share concerns and ideas with policy makers, business leaders, and educators on the priorities necessary for ecologically and economically sustainable social change.

To strengthen the momentum in Maine for fostering global interconnections in education, trade, technology, and environmental sustainability.

INTRODUCTION

Reinventing the world around us

It is time for all of us to decide that we've got to reinvent the world around us.—Clifford Lincoln, Keynote Speech, Global Maine Conference.

Although we live in what is often considered the most isolated "frontier" state of the Eastern seaboard, we in Maine have begun to acknowledge our ties—not only to neighboring states and provinces—but to nations and habitats around the globe.

In part, this recognition has been prompted by global economic changes and environmental crises that have had profound repercussions on Maine. State industries that began competing in the global marketplace several years ago (e.g., timber, shoe manufacturing) have lost hundreds of jobs. Record-breaking heat waves in 1988 dramatized the potential impact of "greenhouse warming" on our state's climate. Increased

global connections have begun changing Maine's economy and culture. More than 700 Maine companies now trade in the global marketplace, and increased travel and tourism bring us in contact with a growing number of foreigners. Numerous "sister city" and intercultural exchange programs have taken root, linking Maine communities to counterparts around the world.

The Global Maine Conference, sponsored by the University of Southern Maine—Departments of Community Programs and Continuing Education for Business in May 1989, was organized to explore the impact of global change patterns on life in Maine. It emerged out of a growing recognition that global economic and ecological crises are interrelated and that they strongly influence—and are influenced by—actions at the local level. No longer can we isolate our individual and collective actions in Maine from the global environmental destruction, economic inequities, and military build-ups that threaten our survival.

Having doubled since 1945, the world population now tops 5 billion and is expected to double again in the next 35 years. [Maine's population increased 13.4 percent between 1970 and 1980.]

Nations around the world currently spend \$1 trillion on armaments. Two-thirds of this amount is spent by the U.S. and U.S.S.R. [Maine's largest private employer, Bath Iron Works, employs 10,000 Maine citizens in construction and repair of destroyers and other naval craft.]

The 20 percent of the world population that lives in western, developed nations produces, and consumes, 80 percent of the world's goods. [In a 2-mile stretch of roadway in Kittery, Maine, there are more than 70 outlet stores.]

These were but a few of the global statistics cited in the "vast complex of interconnected problems" outlined by keynote speakers Sir Brian Urquhart and Clifford Lincoln. Urquhart, a former United Nations official now with the Ford Foundation, described the complex as including "population, revolutionary technology; urbanization; poverty and social decay; communications . . . geopolitical realignment; the conservation and equitable use of natural resources; the distribution of wealth; and a whole variety of resulting environmental problems."

Despite this daunting array of issues, the tone of the Global Maine conference was optimistic. Conference planners and participants chose to focus on the positive, challenging elements latent in crises. Both keynote speakers emphasized the unique choice between disaster and opportunity that confronts Maine. In the words of Clifford Lincoln, former Environmental Minister of Quebec:

... It is time to shake the inertia, to shake the pattern, the stereotypes of the systems in place today . . .

We have to rebalance the economy and ecology so that we build, an environmental economy of the future.

Brian Urquhart reiterated this positive challenge to reinvent the world around us, observing that the "nature of the problem leaves no room for defeatisms. The alternative is unthinkable."

Evolution of the Global Maine Conference

The future is now because if it is not, there will be no future.—Gro Harlem Brundtland, Prime Minister of Norway &

Chair, World Commission on Environment & Development.

Responding to community interest in global issues, the University of Southern Maine (USM)—Department of Community Programs has offered several educational programs designed to enhance public awareness of global concerns. In May 1987, USM Community Programs sponsored a lecture in which *Christian Science Monitor* columnist Rushworth Kidder discussed his experience interviewing 22 global leaders about the issues that endanger human-kind. In March 1988, USM Community Programs sponsored "The World Game," an experiential global education game created by Buckminster Fuller. The positive response to these initial programs led to plans for a more comprehensive conference on global trends to be held in May 1989.

Representatives from the USM academic community, business, the legislature, and nonprofit organizations began meeting in June 1988 to design the Global Maine conference (for a complete list of conference sponsors, please see Appendix A). Planning Committee members wanted the conference to provide opportunities for creative discussion and information-sharing that would encourage participants to explore and understand the effects of global trends on their lives. The Committee agreed that the conference should be interactive in its orientation, encouraging participants to share ideas, develop strategies by consensus, and accept the challenges posed by global issues.

Conference goals:

To create an opportunity for people to share concerns and explore differences; to exchange ideas; and to brainstorm creative actions that address the critical global issues facing Maine.

To provide timely information on global trends that are affecting Maine now or will do so within the next two decades.

To inspire people to take immediate action in their personal lives and to consider how our communities and broader society must be transformed.

To encourage people to share concerns and ideas with policy-makers, business leaders, and educators on the priorities required for ecologically and economically sustainable social change.

To strengthen the momentum in Maine for fostering global interconnections in education, trade, technology, and environmental sustainability.

Conference participants:

More than 150 individuals from around Maine attended Global Maine Conference on May 24 and 25, 1989, in Portland. Of the 68 individuals who completed conference evaluation forms, 23 worked in education; 14 in business; 12 in non-profit service; 3 in government; 1 in medicine; and 1 in law. Four students attended and an additional 9 participants described their profession as "other" (including engineering, art, clergy, and retired).

Most of the conference participants who completed the evaluation forms felt that the conference was a visionary, constructive, and well-executed event. Respondents generally found track discussions thought-provoking and were inspired by the chance to engage in dialogue with a large group of people sharing their global concerns.

Participants felt that the conference provided a good opportunity to reassess choices and reaffirm individual commitment to make a difference. They demonstrated a strong interest that the work of the conference be continued, although no firm follow-

up steps were agreed upon during the concluding plenary session (see Conclusion, Part 3).

Structure of the Global Maine Conference

The Planning Committee designed the conference process to involve participants in anticipating the future, discussing a broad spectrum of global issues, and developing agendas for personal action. The six tracks—education; environment; ethics and values; population; security and governance; and technology—were the major themes that Committee members perceived as critical to Maine. The choice of tracks was strongly influenced by the subject areas that columnist Rushworth Kidder used in his book, *An Agenda for the 21st Century* (see Appendix D): nuclear annihilation; north-south economic gap; global environment; education; morality; and population. Rather than being developed as a separate track, some major areas of change (e.g., economic) were discussed as an integral theme within the six selected tracks.

The interconnections between the tracks were clearly demonstrated during the conference. Each track topic became an integral theme in the other five tracks.

The Conference was designed so that every participant could attend a brief workshop in one track, but concentrate his/her energy in two longer sessions within another track. Each track had a coordinator (responsible for logistical organization) and at least one speaker. The speaker's role was to stimulate discussion, generate ideas, and provide resource information to track participants.

Part 2 of this report outlines the questions discussed in each track, and some of participants' strategies for change. Part 3 outlines the themes that united the different tracks and explores some of the implications that ideas from the conference might have for Maine, and the world beyond.

TRACK SUMMARIES

Education track

Establishing lasting peace is the work of education; all politics can do is keep us out of war.—Maria Montessori

Introduction:

In Maine, and throughout the country, we need to rethink what we want children learning and what role schools should hold in this educational process. As track speaker Pamela Wilson observed, "most schools continue to function on ideas and a curriculum that reflects the state of the world in the 1940s." To restructure our educational system will require effective, new teaching processes, and collaboration among people in education, government, and business.

Discussion questions:

How does one facilitate the education of global citizens that are informed, motivated, and empowered to participate?

How can our educational system better foster intellectual curiosity and joy in lifelong learning?

What new skills will be needed to—

celebrate cultural diversity?
compete in a global marketplace?
balance individual needs/consumption within a global context?
develop sufficient knowledge and skills to analyze complex global events and issues?
cope with career changes 5-8 times during a lifetime?

How can educational programs and policies foster links among schools and commu-

nities; teachers and community members; and business and schools?

Strategies:

Increase interdisciplinary education and education focused on basic life skills rather than traditional academic disciplines.

Empower students to teach themselves within the framework of traditional curricula (e.g., encourage active exercise of the democratic process in educational settings).

Teach students about the potential for entrepreneurship as a viable alternative to the corporate workforce.

Encourage community involvement and influence in schools through local and global studies (e.g., exchange programs, sister cities).

Provide better networking of information through increased use of telecommunications in education.

Improve instruction in group dynamic skills (e.g., consensus decision-making).

Encourage schools to experiment with restructuring (moving from the traditional factory model to one that reflects the educational needs of the next century).

Encourage business and governmental leaders to collaborate on local and global studies projects.

Environment track

Treat the earth well. It was not given to you by your parents, it was loaned to you by your children.—Kenyan Proverb

Introduction:

United States citizens represent only 5 percent of the world's population yet we consume 25-40 percent of its total resources. This level of resource consumption threatens the ecological health of our planet, not only in the loss of nature's "capital" but in the pollution it generates.

The Environment Track looked at the future of Maine in the context of a single global environmental problem, the global warming trend attributed to the widespread burning of fossil fuels and to deforestation (particularly in tropical regions). Exploring both adaptive and preventative strategies, the track discussed the potentially devastating impact that global warming could have on Maine's climate, coast (in the event of sea-level rise), vegetation, wildlife, and human society. Track participants concluded that the highest priority for changes should be education at all levels—personal, community-based, and governmental.

Discussion questions:

How to Maine citizens contribute to global ecological crises such as global warming, and deforestation?

How deeply are our damaging practices embedded in our value systems and ways of life?

What changes in perception, behavior, and policy are necessary in order to lessen our negative environmental impacts?

Can Maine, as a single state, serve as a model for natural resources stewardship that will affect national and international policies?

Strategies:

Individual:

Make informed consumer decisions based on the environmental impact of products and corporate practices.

Reduce personal energy consumption (e.g., transportation, heating, appliances).

Recycle in homes and offices.

Share strategies for "low-impact living" with friends/neighbors.

Identify, recruit, and support environmentally responsible politicians; encourage decision makers to support the measures listed below.

Community:

Ensure that candidates discuss environmental issues.

Give public recognition (e.g., awards) to individuals and institutions that demonstrate environmental leadership and responsibility.

Develop and distribute a consumer guidebook for selecting environmentally responsible businesses and products.

Government:

Improve energy efficiency in transportation, building codes, appliances.

Include the potential effects of global warming (e.g., sea-level rise) into comprehensive planning.

Ethics track

Where there is no vision, the people perish.—Proverbs 29, v. 18.

Introduction:

If we are to develop strategies for a Global Maine, they must be guided by visions and principles that reflect the values important to us. The Ethics Track discussed the need for a new social order based on shared power (a "co-operative community of equals"); interdependency of humans and the natural world; respect; ecological sustainability; and economic sufficiency. Track speakers outlined two attitudes that can define our relationship to the natural world and other species—one of domination (or "dominion over" in Biblical terms), the other of community (or friendship).

Participants concluded that our society values domination over community and utility over intrinsic worth (i.e., what you do versus who you are). These attitudes lead us to view people and nature as resources to be exploited. In order to create a new social and ecological order free of such exploitation, we will need to reassess our values.

Discussion questions:

Do we have the vision to balance competing interests (e.g., human dignity, ecological diversity, and economic wellbeing)?

What ethical norms should serve our policymaking?

How can we develop and express an appropriate ethical tenet for behavior in the present and future?

Strategies:

Individual:

Maintain a vision of a new social order and act as a model (e.g., treat co-workers as peers, support local markets).

Question materialism and make socially and environmentally responsible choices.

Restore ourselves in nature.

Education:

Create a working group whose mission would be to articulate an environmental ethic for Maine, educate people as to its importance, and inspire a commitment among people to reexamine their modes of living.

Use the media to articulate new values and equalize power.

Develop educational resources that will encourage students, consumers, and the general public to act upon their ethics.

Government:

Encourage international debt to be forgiven in exchange for land to be held in a conservation trust.

Place a cap on the amount of money spent on political campaigns.

Develop a "future cost index" for products and actions that will have a deleterious effect on the natural world.

Population Track

In the final analysis, the population issue is about human process and equity, not numbers alone.—Report of the World Commission on Environment and Development.

Introduction:

Maine's population of 1.2 million is growing at a significant rate, supplemented by waves of employment seekers from around the country and by refugees from around the world. In some of Maine's communities, seasonal visitors raise the town populations during the summer by 300-500 percent. The state's population is becoming older—on average—and more mobile. Unemployment is dropping, while the number of service sector jobs increases steadily. Track participants discussed how these patterns in population growth will influence affordable housing; efficient and environmentally sound public transportation; cultural diversity; sound land-use policy; and long-term planning as Maine becomes an increasingly global state over the next two decades.

Discussion questions:

How can we foster an acceptance of diversity and interdependence in our communities?

How can Maine balance the benefits provided by growth and change with the need to retain its cultural heritage and its social, environmental, and economic health? What type of jobs will maintain Maine's quality of life?

What will be the long-term environmental and economic impact of tourism and seasonal visitors?

How can local, state, and regional growth management plans be developed to balance natural resource protection with appropriate development?

Strategies:

Education/Communication:

Increase collaborative efforts between job providers (business and institutional) and our educational system (elementary through higher education, including retraining).

Appropriate money for early multicultural and foreign language education in schools and develop foreign "sister school" programs.

Increase communication between year-round and seasonal residents (e.g., through neighborhood gatherings, rescheduled town meetings).

Government:

Better encourage small business development (including worker-owned businesses and co-ops).

Provide financial and technical assistance for developing support systems that would facilitate integration of newcomers from different cultures into Maine communities.

Offer an incentive program for cooperative long-term tourism planning.

Encourage private nonprofit organizations to lobby decision-makers on pertinent population issues.

Security Track

*** Who makes the first ploughshare?

The answer is always personal: I do.

It is always national: my country.

And then global: my planet.

—Colman McCarthy, "Involvements"

Introduction:

With domestic problems such as poverty, illiteracy, and environmental degradation becoming more severe, the old definition of security is being challenged. Trends within our society now threaten our safety and quality of life as much as military powers outside our borders. Rethinking our definition of security calls into question the vast sums of money currently being spent on weaponry. As track speaker Bob Edgar noted, "our defense policy could use its own dose of perestroika."

In a discussion of current threats to security, track participants felt the following factors were significant: declining quality and availability of education; a competitive ethic promoting individual gain over communal good; lack of long-term vision and planning; and economic reliance on military jobs. Balanced against these threats were strengths that track participants felt could foster a more meaningful security: a strong sense of place; a democratic tradition of leadership; a powerful and accessible Congressional delegation; new alliances among constituent groups; and sister-city and exchange programs.

Discussion questions:

Can we define a new vision of security and explore its implications for governance (the process by which such a vision would be translated into policy)?

How might informed citizens increase global security and influence policy decisions on national security through actions at the local level?

What legacy has the Cold War left on our budgetary priorities? How do military trends influence Maine's economy, environment, and society?

Strategies:

The track's new definition for security: Security, in an interdependent world, demands a global concept that moves beyond nationalism and militarism to international cooperation to assure common socio-economic development and justice; ecological integrity; civil and political rights; and freedom from war and violence for all peoples and nations.

Articulate and promote this new definition of security through dialogue with the general public (e.g., round-table discussions and public opinion surveys); with environmental, business, educational and social welfare organizations; with local elected and non-elected policy-makers; and with Maine's Congressional delegation.

Use media to publicize results of surveys, discussions, and dialogue.

Encourage economic impact studies of federal military spending on Maine's local communities and the economic conversion of military and polluting industries.

Promote the concept and potential benefits of economic conversion with political, community, and business leaders.

Encourage socially responsible investment and purchase of products from corporations with environmentally and socially responsible practices.

Encourage community cooperation and coalitions.

Encourage the study of global issues in formal and informal educational settings.

Foster sister-city and citizen exchange programs.

Technology track

The greatest crisis facing modern civilization is going to be how to transform information into structured knowledge—Carlos Fuentes

Introduction:

While always a great engine of social and economic change, technology—in Maine and elsewhere—has become increasingly complex. Information and communication technologies in particular (e.g., computers, modems, fax machines) are driving change, fostering more rapid and numerous communication links between Maine and other parts of the world. The Technology Track examined the potential impact of technology from two perspectives: the effect it has—or will have—on Maine's social, economic,

and environmental fabric; and the actions that might be taken to guide its use.

Discussion questions:

How can technology facilitate life-long learning from all Maine citizens?

How can technology influence our capacities for international understanding?

How can existing and future technologies be used to promote economic development in Maine?

How can we better manage the impact of current and emerging technologies?

Can we use technology to protect and restore our natural environment here and abroad, and to mitigate the damage done by the misguided use of technology?

Strategies:

Support the increased use of information and communication technologies (e.g., interactive television) throughout Maine's educational system.

Establish telecommunication links between Maine schools and schools in other countries to promote international understanding and information exchange.

Promote the efforts of the Maine Science and Technology Commission to apply current and emerging technologies for economic development [not explicitly stated at conference].

Promote technological literacy at all levels of Maine's society, especially in students, teachers, legislators, business people, and public policy makers, through increased training and educational opportunities.

Establish a telecommunications network for Maine cities and towns to exchange information on growth management, environmental, planning, and educational issues.

Form a State Academy of Science and Engineering to serve as a resource for the State Legislature on technical issues.

CONCLUSION

If we believe in the power of the individual to change things, things will change.—Clifford Lincoln, keynote speech, Global Maine Conference.

During the "Town Meeting" Plenary Session that concluded the conference, several themes emerged, uniting the diverse array of strategies and track recommendations. These themes clearly demonstrated the interrelated nature of the six conference tracks and the common concerns shared by the 150 diverse participants. While time constraints prevented conference participants from developing specific actions to pursue, they felt that the following themes should underline any initiatives that emerge from the conference.

(1) Reexamine Attitudes and Values

Conference participants concluded that many of the state's (and planet's) problems are the product of existing value systems (i.e., ones that emphasize short-term goals over long-term, and materialism over spirituality). We need to reassess these values, and become more conscious of how our choices affect others. Several participants referred to Rene Dubos' admonition to "think globally, but act locally." While this reexamination of values must begin with the individual, participants felt that the societal value system must be transformed to better incorporate social and ecological justice. New societal values would be reflected in public policy changes and shifts in public spending.

(2) Support Bioregional Alliances

Participants felt that bioregionalism [the division of regions by natural characteristics and land masses—watersheds, vegetation, etc.—rather than by established political boundaries] should play a stronger role in

Maine's planning and policy-making. Maine lies in the Gulf of Maine bioregion, which includes the lands and waters of Massachusetts, New Hampshire, Maine, New Brunswick, and Nova Scotia. Examples of existing bioregional initiatives include the Gulf of Maine Bioregional Congress (a gathering to celebrate bioregional action scheduled for August 1990) and the Gulf of Maine Initiative (an international effort to foster long-term management of the Gulf).

(3) Promote Ecological and Economic Sustainability

Many conference participants expressed a concern about the long-term impact of our present resource consumption. In the words of Sir Brian Urquhart, we must cease "using up the planet's ecological capital."

This could be achieved, participants felt, by adopting the notion of "sustainable development," which the World Commission on Environment and Development (see Appendix D) defined as development in which the meeting of present needs does not compromise the ability of future generations to meet their needs.

(4) Redefine Education

Education, conference participants felt, should become more participatory and be maintained throughout life. The abundance and complexity of information in our age provides an incentive for life-long learning, and new information and commercial technologies provide greater opportunities for extending education beyond the confines of traditional schools. Participants also underscored the need to promote multicultural education and the acceptance of cultural diversity.

(5) Networking and Conflict Resolution

Conference participants stressed the importance of forming alliances and coalitions, joining forces to work on common goals. To achieve this, individuals and groups will need to develop conflict resolution skills and become attentive to group dynamics and consensus decision-making. Networking among individuals and groups—particularly across distances—will be facilitated by the use of information technology.

(6) The Need for Immediate Action

While the tone of the conference was far from despairing, participants look towards the future of Maine—and the planet—with a deep sense of urgency. This urgency, participants concluded, must be channeled into immediate and constructive action—on individual, societal, and global levels.

It is no doubt impossible to live without thought of the future;

Hope and vision can live nowhere else.

But the only possible guarantee of the future

Is responsible behavior in the present.

—WENDELL BERRY

"The Unsettling of America"

HARVARD'S OUTSTANDING WOMEN'S LACROSSE TEAM—1990 NCAA CHAMPIONS

Mr. KENNEDY. Mr. President, next Monday, all of us in the Massachusetts congressional delegation will join in welcoming to Washington the Harvard women's lacrosse team, which last month crowned their outstanding undefeated and untied season by winning the NCAA championship. The Harvard team will be visiting the Capitol on Monday, and later that day,

President Bush will welcome them to the White House.

This national championship marks the first time in Ivy League history that a women's team has captured an NCAA title. Last year, the men's hockey team won Harvard's first NCAA title.

The championship lacrosse game was a dramatic come-from-behind victory. Harvard trailed 4 to 0 early in the game and was still down by two goals with only 10 minutes left. But Harvard rallied, and with less than 5 minutes to play, scored the game-winning goal in their 8 to 7 victory.

William J. Cleary, Jr., has done an excellent job as Harvard's athletic director. Carole Kleinfelder, who has coached the Harvard team for the past 12 years, has a brilliant record of 60 wins, 4 defeats, and 1 tie in Ivy League competition, and a record of 152-49-3 in her overall coaching career.

The team's magnificent season was highlighted by the outstanding efforts of individual players. Seniors Julia French, Charlotte Joslin and Maggie Vaughan were each named to the NCAA All-Tournament Team. Karen Everling and Sue Carls joined them in being selected as players on the All-America Team. Vaughan was a unanimous pick as Ivy League Player of the Year, and she was joined by eight other teammates—Joslin, Everling, French, Carls, Lynn Frangione, Sarah Leary, Julie Clifford, and Becky Gaffney on the All-Ivy League Team.

The team's impressive 15 to 0 record this season continues a Harvard tradition of excellence in women's lacrosse in recent years. The team has been undefeated in the Ivy League in the past 4 years, has won the league championship in 9 of the past 11 years, and was the runner-up to Penn State for the 1989 NCAA championship.

I commend the players, the coaches, and the many others who contributed to this year's impressive championship achievement. I ask unanimous consent that the names of the members of the team and staff involved in this remarkable season may be printed in the RECORD.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

**HARVARD WOMEN'S LACROSSE TEAM 1990
NCAA CHAMPIONS
MEMBERS OF THE TEAM**

Elizabeth Berkery, Susan M. Carls, Carroll N. Clark, Julie Clifford, Karen M. Everling, Lynn E. Frangione, Julia W. French, Becky A. Gaffney, Theresa Hackeling, Elizabeth C. Hansen, Charlotte R. Joslin, Janet Judge, Kimberly H. Landry, Sarah Leary, Lila S. Rifaat, Rachel L. Schultz, Tara A. Uhler, Lisa Van Landschoot, Anne Magee Vaughan, and Jennifer M. Walser.

William J. Cleary, Jr., Athletic Director.
Patricia H. Miller, Associate Athletic Director.

Carole Kleinfelder, Head Coach.
Andronike Janus, Assistant Coach.

Edith Mabrey, Assistant Coach.
Andrew J. Arends, Team Manager.

**VISUAL ARTISTS RIGHTS ACT
OF 1990**

Mr. MITCHELL. Mr. President, I ask that H.R. 2690, a bill to provide certain rights of attribution and integrity to authors of works of visual art, be read for the first time.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 2690) to amend title 17, United States Code, to provide certain rights of attribution and integrity to authors of works of visual art.

Mr. MITCHELL. Mr. President, I ask that the bill be read a second time.

Mr. DOLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill will lay over a legislative day pending a second reading.

**EXPRESSING THE SENATE'S
GRATITUDE AND ADMIRATION
TO EUNICE KENNEDY SHRIVER**

Mr. MITCHELL. Mr. President, on behalf of myself, Senators DOLE, DODD, and DURENBERGER, I send to the desk a resolution expressing the Senate's gratitude and admiration to Eunice Kennedy Shriver as Chairman of the Special Olympics International, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 299) to express the gratitude and admiration of the Senate to Eunice Kennedy Shriver for her contribution and achievement as Founder and Chairman of Special Olympics International.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 299) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 299

Whereas Eunice Kennedy Shriver, through the establishment of Special Olympics and her pioneering efforts on behalf of people with mental retardation, has united the world in understanding the great human potential in all people;

Whereas Eunice Kennedy Shriver, through her life work, has created a new consciousness that people with mental disabilities have the inalienable right to live, learn, work and play in an environment of equality, respect and acceptance;

Whereas Special Olympics—founded on the conviction that people with mental disabilities benefit physically, mentally, socially and spiritually from sports training and competition—has strengthened families, inspired volunteers and united the world community at large, through both participation and observation;

Whereas Special Olympics, through the universal medium of sport, encourages all its participants to recognize individual achievement by extending the limits of personal potential;

Whereas the spirit of Special Olympics—skill, courage, sharing and joy—incorporates universal values which transcend all boundaries of geography, nationality, political philosophy, gender, age, race or religion;

Whereas Eunice Kennedy Shriver's energy, commitment and love have been the guiding spirit of the Special Olympics since she created it twenty-two years ago: Now, therefore, be it

Resolved, That the United States Senate, upon the announcement of her decision to step down as Chairman of Special Olympics International, expresses its admiration, support and gratitude to Eunice Kennedy Shriver for her dedicated efforts as a pioneer leader of sport and for her vision in blazing a trail of dignity, hope and respect for persons with mental disabilities throughout America and the world.

Mr. MITCHELL. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**BILL PLACED ON THE
CALENDAR—H.R. 2372**

Mr. MITCHELL. Mr. President, I ask unanimous consent that H.R. 2372, a bill dealing with payments for injuries due to radiation from nuclear testing, be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDER FOR RECORD TO
REMAIN OPEN UNTIL 3:30 P.M.**

Mr. MITCHELL. Mr. President, I ask unanimous consent that the RECORD remain open today until 3:30 p.m. for the introduction of bills and statements and that the Senate committees may file reported Legislative and Executive Calendar business until 3:30 p.m. notwithstanding the adjournment of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that Senator DOLE be recognized to address the Senate; following his remarks, Senator KERREY be recognized to address the Senate; and following his remarks, the Senate stand in adjournment as under the order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The minority leader is recognized.

THE CRIME BILL

Mr. DOLE. Mr. President, I will just take 1 minute to indicate and underscore my hope we can come together on some agreement on amendments to a crime bill. We have had a number of sessions on our side, starting yesterday afternoon. We have now reduced the number of amendments to 12 plus 1 leadership amendment plus a number of others we think might be accepted. So it is a far cry from nearly 200 amendments we had on this side.

I commend my colleagues for giving up in many cases a number of amendments they had hoped to offer in an effort to get a good, solid crime package. I know there are Members on the other side—I think including the Presiding Officer—who might have an amendment they would like to add to the crime package. We are hoping we can each have an equal number of amendments and maybe each leader reserve one amendment. But then something might occur that may not have been anticipated. We might in the near future complete action on the crime package.

It seems to me this is a fair way to proceed, and I say again, as I did yesterday, one reason for not getting closure is that Members on this side and on the other side, I guess, in some cases, have not been able to offer their amendments even though they were relevant to the crime bill. So it is my hope we can resolve our differences.

We are prepared to do it on this side of the aisle. We have reduced the number of amendments to 12 plus a leadership amendment plus some additional amendments we think may be accepted. If not, we can negotiate those and we will be happy to work with the majority leader and the chairman of the Judiciary Committee, Senator BIDENT.

I know Senator HATCH is on the floor now. We are going to have a meeting as soon as I complete this statement and discuss further any efforts we can make, anything we can do to cooperate with our colleagues on the other side to reach some agreement. We would like to complete action on this bill, if not next week, as quickly as we can, because there still needs to be action on the House side.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Nebraska is recognized.

DRUG POLICY

Mr. KERREY. Mr. President, in my reading this morning I came across an article in the New York Times headlined: "Aide to Bush Assails Cuomo on Drug Plans." Operating on a personal rule which tells me that misery loves company I read on.

I immediately discovered that the aide referenced in the headline was

the President's National Drug Policy Director, Mr. William Bennett. I learned that Mr. Bennett had been invited by Republican State senators to speak to a joint session of the New York State Legislature.

According to Kevin Sack of the New York Times, Mr. Bennett said:

New York had made progress in the war on drugs but needed to do better. He focused on law-enforcement issues, encouraging the legislators to override Mr. Cuomo's veto of the death penalty and to pass a bill that would strengthen the State's ability to seize property used in drug transactions. That bill is backed by Mr. Cuomo.

According to Mr. Sack, Mr. Bennett said little about drug treatment initiatives, which have "been the centerpiece of recent antidrug efforts by the Cuomo administration. This year's budget includes money to increase the State's capacity for drug treatment by more than 7,000 over the next few years—which would more than double the State's treatment capacity."

Mr. Bennett also did not provide any commitment of Federal help to build drug treatment campuses across the State. Like other Governors in America, Governor Cuomo has criticized the Federal Government for describing the need for such facilities, but providing no resources to build them.

After his speech, Mr. Bennett went to a press conference where he provided the real reason for making the trip to Albany: To attack the Governor of New York for remarks that he had made to the State's Democratic convention. I was tempted to write it off as politics as usual except for two things.

First, I did not like the tone of the attack. Mr. Bennett is supposed to be representing the President in the difficult effort to coordinate with States and local governments the development and implementation of sound antidrug policy. This personal political assault is a much different mission, one that would be more appropriate for the President himself or some other elected official.

It is understandable and appropriate when elected politicians argue with each other; that is expected. However, Mr. Bennett is not elected, yet. Rather, he has been appointed to work with States like New York which has some of this Nation's most serious drug problems.

Mr. President, it was reported that the White House did not disagree with anything said by Mr. Bennett. A senior White House official who works for John Sununu said:

They don't have to and didn't clear their remarks through here, but we don't disassociate ourselves in any way from what was said.

I believe they should. Here is what America's drug czar said in a press conference after his speech.

He opened his conference by saying he was annoyed with the things that Governor Cuomo had told the State Democratic convention. He said:

There's this notion out there that if he steps in, the sun will be blocked by a cloud, the earth will stop, the animals lent. Nobody is afraid of this guy. He's got a record to run on and the record on drugs, I have to tell you, is not what it should be. If Mr. Cuomo wants to wax Presidential, either cutely or otherwise, he needs to work gubernatorially first.

Understand that Mr. Bennett was not in New York campaigning for Mr. Pierre Rinfret, the Republican nominee for Governor. He was there to give a speech about U.S. drug policy. By the way, Mr. Rinfret has joined Mr. Bennett in championing the death penalty. In fact, he is such a single issue candidate that he was rebuked by Secretary Jack Kemp earlier in the week.

I do not believe Mr. Bennett is in an enviable position to be criticizing Governor Cuomo. Mr. Bennett is the man who declared at the beginning of his term that he intended to make the District of Columbia an example of what could be done. After failing to get anything done, Mr. Bennett chose instead to retreat behind statistics showing that Americans were using illegal drugs less, conveniently omitting the State and local efforts in helping to get this accomplished.

The second reason I bring Mr. Bennett's political remarks to the attention of my colleagues is the substance of them. He was upset that Governor Cuomo had said that—

The problem of drugs is not a State failure—it's a national failure. The Governor really needs to cut it out. I'm doing my job. He needs to worry about doing his job rather than bashing Washington. You've got Governors in this country, Republicans and Democrats, who are not spending most of their time complaining about Washington.

In fact, the Governors are almost unanimous in urging Washington to avoid more mandates which increase State responsibility without providing any resources to do the job. In health care, transportation, public safety, and law enforcement they have reached their limits.

In fact, the President of the United States has also identified the drug problem as a national problem. It is this belief which led to the creation of the position held by Mr. Bennett.

In fact, if Mr. Bennett's words about law enforcement mean anything he should back them up with action by spending more time in Washington fighting back the efforts of the National Rifle Association to stall the passage of a desperately needed crime bill. The amendment objected to by the NRA restricts the manufacture of assault weapons which the drug czar earlier stated should be done.

Mr. President, it is not out of line for President Bush to travel the country raising money for Republican candidates. His opposition to Democrats just because of their party affiliation is understandable and fair.

It is not out of line for Cabinet members to make political trips to support Republican candidates. We expect them to do such things.

However, in my view President Bush's Drug Policy Director crossed the line that separates acceptable political behavior which does not interfere with the development of drug policy from petulant, personal attacks that are counterproductive.

This is not the first time that Mr. Bennett has performed this way. Who can forget his memorable description of the work of the President and the 50 Governors who met in Charlottesville last year at the education summit. "Same old pap," he said, "and it resembles another word that rhymes with pap."

Mr. President, there is no better description of Mr. Bennett's performance in New York than to apply the words he used to describe the work of his boss.

ORDERS FOR TUESDAY—JUNE 12, 1990

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business on Monday, June 11, it stand in recess until 9 a.m. Tuesday, June 12; that the time of the two leaders be reduced to 7½ minutes each; that following the time for two leaders there be a period for morning business not to extend beyond 9:20 a.m.; that at 9:20 a.m. the Senate proceed to the consideration of S. 1875, a bill to name the Virginia Smith Dam and Lake Recreation Area; that no floor amendments or motion be in order; that there be 10 minutes of debate under the control of Senator Exon; and that at 9:30 a.m. the Senate, without any intervening action or debate, proceed to adopt the committee substitute and vote on final passage of the bill. I further ask unanimous consent that the Senate stand in recess between the hours of 12:30

p.m. and 2:15 p.m. on Tuesday, June 12.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, JUNE 11, 1990

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate adjourns today it stand in adjournment until 1 p.m. on Monday, June 11; that when the Senate reconvenes on Monday, June 11, the Journal of the proceedings be deemed to be approved to date; that the call of the calendar be waived; that no motions or resolutions come over under the rule; and that the morning hour be deemed to have expired; I further ask unanimous consent that following the time for the two leaders there be a period for morning business with Senators permitted to speak therein, and that Senator RIEGLE be recognized in morning business for a period of up to 2 hours.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHEDULE

Mr. MITCHELL. Mr. President, for the information of Senators let me then briefly summarize the effect of these agreements with prior agreements on the schedule for next week.

There will be a rollcall vote at 9:30 a.m. on Tuesday on S. 1875. It is my intention then to proceed to the Tongass Forest bill and to consider that bill throughout the day until such time as it is disposed of. The Senate will recess from 12:30 to 2:15 p.m. in accordance with our regular practice to accommodate the party conferences. At 2:15 p.m. there will be a rollcall vote on the cloture motion on S. 341, the blind air passengers bill. Immediately following that rollcall vote the official photograph of the Senate will be taken, so Senators are urged to remain in the Chamber for that photograph. At 6:15 p.m. on Tuesday there will be a rollcall vote on the Amtrak veto override.

There may well be other votes throughout the day with respect to the Tongass bill, although it is my

hope, and I have discussed this previously briefly with the Republican leader, that we can work out some stacking of votes so as not to interrupt the proceedings in the Senate Ethics Committee unduly during the day, if that will be possible on Tuesday.

We will be working with the managers and others in that regard to accommodate that concern if at all possible.

ADJOURNMENT UNTIL 1 P.M. MONDAY, JUNE 11, 1990

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until the hour of 1 p.m., Monday, June 11,

Thereupon, at 2:49 p.m., the Senate adjourned until Monday, June 11, 1990, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate June 8, 1990:

FEDERAL DEPOSIT INSURANCE CORPORATION

ANDREW C. HOVE, OF NEBRASKA, TO BE VICE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION. (NEW POSITION—PUBLIC LAW 101-73)

NATIONAL CONSUMER COOPERATIVE BANK

CONSTANCE HORNER, UNDER SECRETARY OF HEALTH AND HUMAN SERVICES, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF 3 YEARS, VICE EWEN M. WILSON.

CONFIRMATION

Executive nomination confirmed by the Senate June 8, 1990:

FEDERAL LABOR RELATIONS AUTHORITY

PAMELA TALKIN, OF NEW YORK, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF 5 YEARS EXPIRING JULY 1, 1995.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive message received June 8, 1990, withdrawing from further Senate consideration the following nomination:

NATIONAL CONSUMER COOPERATIVE BANK

EWEN M. WILSON, AN ASSISTANT SECRETARY OF AGRICULTURE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF 3 YEARS, WHICH WAS SENT TO THE SENATE ON JANUARY 3, 1989.